



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**TUES, MAY 27, 2008
7:00P.M.**

OPENING MATTERS

CALL TO ORDER

INVOCATION: Pastor Jack Williams, First Century Worship Center

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATIONS AND PRESENTATIONS

Council Commendation:

- In recognition of Children's Home Day
- In recognition of Historic Preservation Month

Presentation of Historic Preservation Awards by HARB

Mayoral Proclamation:

PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing Council may be called to order by the Presiding Officer, and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be

distributed to Council must be given to the City Clerk before the meeting is called to order.

Those commenting on an agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes. No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's presentation. Citizens may not ask questions of Council member or other elected or public official in attendance.

APPROVAL OF AGENDA AND MINUTES

Tab 2. AGENDA: Council Meeting of May 27, 2008

Tab 3. MINUTES: Council Meeting of May 12, 2008

Tab 4. Consent Agenda Legislation

Resolution – authorizing the amendment of the FFY2008 one year Action and the FFY2004 to FFY2008 five year Consolidated Plan to provide \$100,000 in un-programmed CDBG funds for the Phase III renovations to City Park. **(CD Office)**

Award of Contract - 25% NaOH diaphragm grade delivered in bulk and the 50% NaOH diaphragm grade delivered in bulk to North Industrial Chemicals, P.O. Box 1904, York, PA 17405, who is the low bidder, at the submitted unit prices of \$0.993/gallon and \$1.987/gallon respectively. These awards bring the estimated total bid price to \$129,140 **(Purchasing)**

Award of Contract - Grace Industries, 7171 Airport Road, Bath, PA 18014, at a total bid price of \$314,480.00 for various improvements to the Hampden Park Tennis Courts for the Departments of Public Works and Community Development **(Purchasing)**

Award of Contract – to Maximus, Harrisburg, PA for a user fee study at a total fee of \$74,400. **(Purchasing)**

ADMINISTRATIVE REPORTS

REPORT FROM OFFICE OF THE AUDITOR

REPORTS FROM DIRECTORS & BOARDS AUTHORITIES AND

COMMISSIONS

Planning Commission – Andrew Miller, City Planner

Tab 5. ORDINANCES FOR FINAL PASSAGE

Ordinance- empowering the Parking Authority to issue abandoned vehicle reports for all vehicles towed due to parking violations (**Parking Authority, Police Chief, Council Staff**) ***Introduced at the May 12 regular meeting***

Ordinance- authorizing the refunding of the outstanding City of York General Authority Adjustable Rate Pooled Financing Revenue Bonds (City of Reading, PA Project) Sub-series 96-1996 (**Finance Dir**) ***Introduced at the May 12 regular meeting***

Ordinance- creating the Reading Local Redevelopment Authority who shall serve in an advisory capacity to the City's governing body regarding the development of a reuse plan for the Naval Marine Reserve Center, located on Kenhorst Boulevard Avenue, in Council District 1 (**City Council**) ***Introduced at the May 12 regular meeting***

Ordinance – authorizing the execution of a deed, and any other required documents, to convey the premises situate at 400 S. 6th Street from the City of Reading to the Reading Redevelopment Authority. (**Solicitor**) ***Introduced at the May 12 regular meeting***

Ordinance- authorizing the execution of a deed, and any other required documents, to convey the premises situate at 401-403 S. 6th Street from the City of Reading to the Reading Redevelopment Authority. (**Solicitor**) ***Introduced at the May 12 regular meeting***

Ordinance- authorizing the execution of a deed, and any other required documents, to convey the premises situate at 422 S. 6th Street, Reading, Berks County, Pennsylvania, from the City of Reading to the Reading Redevelopment Authority. (**Solicitor**) ***Introduced at the May 12 regular meeting***

Ordinance- amending the Housing Permit Ordinance by reducing the number of Disruptive Conduct Reports needed for the eviction of the tenant(s) and increasing the appeal fee from \$50 to \$75 (**Council Public Safety Committee**) ***Introduced at the May 12 regular meeting***

Pending
Advertisement and Public Hearing Required by MPC
Notice of Pending Ordinance Doctrine

Ordinance – amending the Zoning Ordinance by prohibiting rental uses in the R-1, R-1A and R-2 Zoning Districts **(Councilor Marmarou & Council Staff)** *Introduced at the March 24 regular meeting of Council*

Ordinance- amending the Zoning Ordinance and Zoning Map by changing the R-3 zoning designation to an R-2 zoning designation in Council District 1 to include parcels with the parcel identification numbers (PIN) 530654145536 and 530653140352 **(Councilor Fuhs)** *Introduced at the May 12 regular meeting*

Ordinance- amending the Zoning Ordinance and Map by changing the Residential Outlet zoning designation to Commercial Neighborhood designation in City Council District 6. **(Councilor Waltman)** *introduced at the May 12 regular meeting.*

Pending – Further Review Required

Bill No. 26 - amending the Codified Ordinances of the City of Reading, Chapter 1 – Section 1-186, 3, G, by adding a new (3) requiring Council approval for all expenditures, transfers and/or allocations from and/or to any and all Agency Funds and any and all line-items located in the Departmental: Non Departmental area of the General Fund **(Council Pres. Spencer- Council Staff)** *Introduced at the February 25 regular meeting; Tabled at the March 10 regular meeting; referred to the Finance Committee for review; Discussed at 4-7 Finance Committee; Tabled at the 4/14/08 Regular Meeting*

Tab 6. INTRODUCTION OF NEW ORDINANCES

Ordinance – amending the City of Reading Topographical Map by vacating Lafayette Street, between Pear and North 2nd Streets and vacating Pear Street, between Beech and Lafayette Streets. **(Council Staff)**

Ordinance – amending the Park and Recreation Advisory Committee (PARC) ordinance by adding participation from the United Way, Olivets-PAL and the YMCA and by adding removal provisions **(Public Works Committee)**

Tab 7. RESOLUTIONS

Resolution – reappointing Ruth Epler to the Park and Recreation Advisory Council
(Administrative Oversight & Land Use Committee)

Resolution – reappointing Jeff Darlington to the Board of Ethics (Administrative
Oversight & Land Use Committee)

Resolution – appointing Adam Wagonseller to the Legislative Aide Committee
(Administrative Oversight & Land Use Committee)

PUBLIC COMMENT – GENERAL MATTERS

COUNCIL BUSINESS / COMMENTS

COUNCIL MEETING SCHEDULE

Monday, May 26th

Memorial Day - City Hall Closed

Tuesday, May 27th

Meeting with the Mayor – Mayor’s Office at 4:00 p.m.

Committee of the Whole – Council Office at 5:00 p.m.

Regular Meeting – Council Chambers at 7:00 p.m.

Thursday, May 29th

Southwest Firehouse Public Hearing – Council Chambers – 5:00 p.m.

Saturday, May 31st

Budget Summit – Penn Room – 9 a.m.

Monday, June 2nd

Meeting with the Mayor – Mayor’s Office- 4:00 p.m.

Public Safety Committee – Council Office – 5:00 p.m.

Finance Committee – Council Office – 5:00 p.m.

Tuesday, June 3rd

River View Presentation – Council Office – 5 p.m.

Monday, June 9th

Meeting with the Mayor – Mayor’s Office at 4:00 p.m.

Committee of the Whole – Council Office at 5:00 p.m.

Regular Meeting – Council Chambers at 7:00 p.m.

Tuesday, June 10th

Reading School District – 6 p.m.

BAC AND COMMUNITY GROUP MEETING SCHEDULE

Tuesday, May 27

Housing Authority Workshop – WC Building – 4 pm

Housing Authority Meeting – WC Building – 5 pm

Human Relations Commission – Penn Room – 5 pm

Dare2Care – Bethel AME Church – 5:30 pm

Library Area Neighborhood Assn – Unitarian Church – 6:30 pm

District 7 Crime Watch – Holy Spirit Church – 7 p.m.

Wednesday, May 28

Parking Authority – Parking Authority Office – 5 pm

District 6 Crime Watch – 13th & Green Elementary School – 6:30 pm

Outlet Area Neighborhood Assn – St. Mark’s Lutheran Church – 6:30 pm

18th & Cotton Community Crime Watch – St. Matthew’s UM Church – 7 pm

Northeast Crime Watch – Northeast Library – 7 pm

Stadium Commission – Stadium RBI Room – 7:30 pm

Monday, June 2

Centre Park Artifacts Bank – 705 N. 5th Street – Noon

Shade Tree Commission – Planning Conference Room – 6 pm

Wyomissing Park Property Owner’s Assn – Member’s home – 6:30 pm

Wednesday, June 4

Reading Elderly Housing Crime Watch – Front & Washington Sts – 2:30 pm

District 2 Crime Watch – St. Paul’s Lutheran Church – 6:30 pm

Thursday, June 5

Police Civil Service Board – Penn Room – noon

Board of Health – Penn Room – 6 pm

Glenside Community Council – Christ Lutheran Church – 6:30 pm

District 3 Crime Watch – Calvary Baptist Church – 7 pm
Legislative Aide Committee – Penn Room – 7:30 pm

Sunday, June 8

College Heights Community Council – Nativity Lutheran Church - 7 pm

Monday, June 9

Fire Civil Service Board – Penn Room – 4 pm
6th & Amity Neighborhood and Playground Assn – 6th & Amity Fieldhouse – 6:30 pm
Charter Board – Penn Room – 7 pm

City of Reading City Council

**Regular Meeting
Monday, May 12, 2008**

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Reverend Nicholas Camacho, from Centre Park United Methodist Church.

All present pledged allegiance to the flag.

ATTENDANCE

Council President Spencer
Councilor S. Fuhs, District 1
Councilor M. Goodman–Hinnershitz, District 2
Councilor D. Sterner, District 3
Councilor S. Marmarou, District 4
Councilor M. Baez, District 5
Councilor J. Waltman, District 6

Mayor T. McMahon
Acting Managing Director R. Hottenstein
Chief of Police W. Heim
Public Works Director C. Jones
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Executive Director RPA L. Lee
Sergeant at Arms Capt. R. Shafer

PROCLAMATIONS AND PRESENTATIONS

City Council issued commendations to:

- National Police Week
- Weed and Seed Steering Committee
- Gabriela Raful for her outstanding performance at the Harvard World Model United Nations
-

PUBLIC COMMENT

Council President Spencer announced that there were two citizens registered to address Council; one on agenda and one on non-agenda matters. He inquired if any of the Councilors objected to suspending the rule, which would allow all citizens to address Council at this point in the meeting. As no one objected, the citizens were permitted to address Council at this time.

Council President Spencer reminded the speakers that the remainder of the speaking rules remains in tact and he reminded the citizens registered to address Council that those speaking on agenda matters may comment for 5 minutes and those speaking on non-agenda matters may comment for 3 minutes.

Asis Rivera, representing the Property Management Company, who owns the Oak Forrest Apartment Complex, noted the difficulty landlords will have applying an additional tax on renters after the increase of EIT. She questioned if this additional tax on the rental community is not a double tax.

Sheri Rush, of Palm Street representing Berks Women in Crisis (BWIC), stated the she is employed by BWIC as a Development Consultant and Public Relations Specialist. She explained the mission of BWIC noted her belief that domestic abuse has become epidemic in today's society. She noted that among other programs the BWIC shelter provides such as, daycare, legal advocacy, counseling services, etc. She explained that victims of domestic abuse become homeless due to threat and endangerment.

Ms. Rush was reminded that she reached the 5 minute limit. Ms. Rush requested an additional minute. No one on Council objected, providing Ms. Rush with an additional minute.

Ms. Rush stated that the Naval Marine Reserve Center Parcel will meet the growing needs of the homeless community. She asked if the City expected to be named as the LRA for the decommissioned reserve sight and asked the LRA would approach this issue with an open mind and cooperative mind set.

Councilor Fuhs requested an opportunity to respond to Ms. Rush's comments on the Naval Reserve Center. He agreed with the value of services BWIC provides, but asked BWIC to consider their own actions. He noted the call Ms. Rush made to the Department of Defense expressing concern about a rumor that City Council planned to appoint Commissioner Mark Scott to the LRA. BWIC explained to Department of Defense Officials that Commissioner Scott has made statements about his belief that too many low income services are located within the City's limits. He also, noted the unethical meeting arranged by BWIC with the City's Mayor and Superintendent of the Reading School District.

Mayor McMahon stated that this meeting was arranged to begin an open dialog between the Reading School District and BWIC. The Mayor also noted he assisted BWIC in obtaining a tour of the facility and questioned how BWIC would prepare a notice of intent, without having access to the facility.

Councilor Fuhs noted that the process will not begin until the Department of Defense recognizes the City as a LRA (Local Redevelopment Authority). He expressed the belief that the Administration circumvented the process.

Councilor Waltman noted that there are many remaining legal questions before the LRA process moves forward.

Councilor Goodman-Hinnershitz suggested preparing a working agreement to help all parties move forward.

Councilor Sterner agreed the process has been circumvented. He noted the need for the Department of Defense to establish the City as an LRA before any forward steps can begin.

THE AGENDA AND THE MINUTES

Council President Spencer called Council's attention to the minutes from the April 28, 2008 regular meeting of Council and the agenda for this meeting. He noted the need to remove two resolutions from the consent agenda heading, one covering permanent street sweeping at the 1300 block of College Avenue, and one regarding a June 3, 2008 public hearing on zoning matters. He stated that approval of the agenda would also approve the remaining legislation listed under the consent agenda heading.

Councilor Fuhs moved, seconded by Councilor Waltman, to approve the minutes from the April 28, 2008 regular meeting of Council and the agenda as amended including the legislation remaining under the consent agenda heading. The motion was approved unanimously.

Award of Contact – for the purchase of five (5) new patrol vehicles and three (3) new K-9 SUVs to Manderbach Ford, Temple, PA, who is the low bidder at a total bid price of \$388,937 plus \$10,320 for extended warranties, totaling \$399,257. (Purchasing)

ADMINISTRATIVE REPORT

Mayor McMahon read the report distributed to Council at the meeting, covering the following:

- Presentation of the Financial Comprehensive Plan at the Budget Summit scheduled for Saturday May 31, 2008.
- Interviews for Community Development Director and Managing Director
- Comprehensive study on parking, traffic, and signage.

- Grand Opening of Sun Rich Fresh Foods, on Tuesday May 20, 2008
- National Preservation month, celebrated on Wednesday May 14, 2008
- Comcast Day of Caring at the Pagoda on May 3, 2008, where over 100 volunteers cleaned, planted flowers, and painted.

Council Fuhs inquired if the study on traffic, signage, and parking, will include corstack's, Mayor McMahon stated that corstack's will be included in this study.

Councilor Goodman-Hinnershitz noted the impressive work by the Comcast Volunteers at the Pagoda.

Council President Spencer reminded the Administration and Mayor about his memorandum regarding the need for the advertisements for Community Development Director and Managing Director to include the Charter's residency requirement.

AUDITORS REPORT

City Auditor Dave Cituk read the report distributed to Council at the meeting covering the following:

- 2006 liquid fuels audit, a parking authority external audit, prepared by Herbein and Company.
- Collection of traffic fines 2004 through 2008
- 2008 Cable franchise fees
- 2008 Tax Exempt properties

Mayor McMahon noted that 30.6% of the properties located in the City Of Reading are tax exempt.

Mayor McMahon clarified that Gianasca's will pay for the Corstack's portion of the traffic study.

Councilman Marmarou noted three years ago the report on exempt properties prepared by the City Auditor showed 123 churches, however the 2008 report shows 241 churches. He questioned the increase of 118 churches within a three year period. He asked the City Auditor to review this category and provide clarification.

Ms. Kelleher requested that the Auditor also provide a list of the names and addresses of the churches to see if proper zoning has been approved.

REPORTS FROM BOARDS AUTHORITITES AND COMMISSIONS

Larry Lee, Executive Director of the Reading Parking Authority, called Council's attention to a handout highlighting the mission, net income, cash flow, and audit of the Reading Parking Authority. Mr. Lee noted that Reading Parking Authority first began in 1957 and the first garage was constructed in the 1960's. He noted the dramatic increase in revenues since 2001 and the authority's work to repay a number of City loans. He stated that going forward the Parking Authority can be a revenue resource for the City due to increased revenue and leveling off of the authority's debt. He noted that to date the Parking Authority has \$50,000,000 million dollars of outstanding debt. He noted that the Parking Authority's recent payment of \$550,000 dollars to the City reduces Parking Authority's debt to the City to \$800,000 dollars. He next described the Parking Authority's efforts to save money and capitalize on profits.

Mr. Lee described the intangibles provided by the Parking Authority such as, attending to parking requests from downtown businesses and other request to benefit public and private concerns. He added that the average cost to construct a parking space within a parking garage is \$18,000 dollars per space. On average it takes approximately 21.4 years to pay off that cost.

Mr. Lee reminded Council that the recent P3 deal in Harrisburg cites a potential 100% increase in parking rates two times per year.

Councilor Fuhs thanked Mr. Lee for his report and work for the financial success of the Authority. He asked Mr. Lee what the Authority's cost for the parking facility on the parcel opposite of the Sovereign Center Building. Mr. Lee stated that the cost of the parking facility raised to approximately \$16,000,000, which will be financed through a combination of cash and loan.

Councilor Fuhs inquired when the Parking Authority would be repaying the remainder of the debt due to the City. Mr. Lee replied that a payment of approximately \$823,000 will be paid by the Authority in 2009 at the conclusion of the Authority's external audit.

City Auditor Cituk reminded Council that the Authority's debt payments will be deposited in the account known as capital reserve city, where the loan originated.

Councilor Waltman thanked Mr. Lee for his report and questioned the life span of the parking facilities. Mr. Lee replied that some parking facilities historically were not properly maintained. However, the Parking Authority now dedicates money each year toward a defined maintenance program.

He expressed the belief that the parking facility to be located at the hotel opposite the Sovereign Center Building will reduce the demands for additional downtown parking. He expressed the belief that going forward the Parking Authority should be able to provide the \$500,000 payment annually to the City.

Councilor Goodman-Hinnershitz noted the difficulty with street parking in City neighborhoods due to increased vehicle ownership and the increase in multi-family units. She noted that these parking problems increase during winter weather events.

ORDINANCES FOR FINAL PASSAGE

Bill 36-2008 – authorizing the execution of a document granting a thirty-five foot (35') wide easement and right of way from the City of Reading to

Metropolitan Edison Company, located over a portion of property known as Berks County Alternate APN 18530616947572, near Millmont. **(Solicitor)**

Councilor Baez moved, seconded by Councilor Fuhs, to enact Bill 36–2008.

Bill 36–2008 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

Bill 37–2008 – amending the City’s Codified Ordinances Chapter 24 Taxation, Special, by creating a new Part 10 Residential Rental Tax which levies a tax of \$50 on all Lease Transactions which authorize a person to be an Occupant of a Residential Rental Unit, regardless of when such person or persons commenced occupancy of the Residential Rental Unit **(Solicitor)**

Councilor Marmarou moved, seconded by Councilor Fuhs, to enact Bill 37–2008.

Councilor Waltman noted his opposition to approving this new tax at this point, due to the City’s inability to manage the permitting of rental properties. He expressed the belief that the enactment of this tax now will only attach to those already paying and not all existing rentals. He stated that the enactment of this tax will be premature. He added that the enactment of this tax could drive those not in compliance farther into hiding.

Councilor Marmarou expressed the belief that this tax will aide the City in covering the cost of Public Services provided.

Councilor Waltman noted the City’s inability to properly track tenants.

Councilor Sterner expressed the belief that as this tax applies only to lease transactions, it could help to reduce transiency. He expressed the belief that this new tax is a fair share tax.

Councilor Baez stated that she will not support the enactment of this tax, due to the many unanswered questions about implementation. She suggested that Council first focus on more critical issues before the State Legislators reach consensus on the ability of cities to impose this tax.

Councilor Goodman–Hinnershitz stated that she will support this tax as residential rental properties require additional public services. She agreed that the application of this tax could reduce transiency. She noted that this legislation could be amended in future after further discussion.

Councilor President Spencer urged Council to remember that this tax is already applied in Kutztown and Millersville. He sated that City won't be implementing this tax until the legal challenge in Millersville is complete. The enactment of this ordinance will provide the City with the ability to collect this much needed tax if the Millersville challenge is unsuccessful.

Council Waltman expressed the belief that although this looks like an easy fix it will create larger problems.

Council President Spencer and Councilor Waltman debated the merits and dangers of enacting the residential rental tax.

Councilor Goodman–Hinnershitz called for the question.

Bill number 37–2008 was enacted by the following vote

Bill 37–2008 was enacted by the following vote:

Yea: Goodman–Hinnershitz, Marmarou, Sterner, Spencer President. – 4.

Nay: None – Baez, Fuhs, Waltman – 3.

Bill No. 21–2008 – amending the City of Reading Codified Ordinances, Chapter 6 – Conduct, by creating a new Part 8– Solicitation, requiring a permit for solicitation and canvassing to protect the safety, health and welfare of those who live and visit the City of Reading.

Councilor Marmarou moved, seconded by Councilor Goodman–Hinnershitz, to enact Bill 21–2008.

Councilor Sterner explained that this ordinance was initiated by the Chief of Police and will provide Police with the ability to monitor those undertaking canvassing and solicitation activities to protect the safety of the City’s residents.

Councilor Goodman–Hinnershitz expressed the belief that this ordinance provides a proper balance of freedom and prohibition to ensure public safety.

Bill 21–2008 was enacted by the following vote:

**Yea: Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Spencer
President – 6.**

Nay: None – Waltman – 1.

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following Ordinances into the record:

Ordinance- amending the Zoning Ordinance and Zoning Map by changing the R–3 zoning designation to an R–2 zoning designation in Council District 1 to include parcels with the parcel identification numbers (PIN) 530654145536 and 530653140352. (Councilor Fuhs)

Ordinance– amending the Zoning Ordinance and Map by changing the Residential Outlet zoning designation to Commercial Neighborhood designation in City Council District 6. (Councilor Waltman)

Ordinance– empowering the Parking Authority to issue abandoned vehicle reports for all vehicles towed due to parking violations (Parking Authority, Police Chief, Council Staff)

Ordinance– authorizing the refunding of the outstanding City of York General Authority Adjustable Rate Pooled Financing Revenue Bonds (City of Reading, PA Project) Subseries 96–1996 (Finance Dir)

Ordinance– creating the Reading Local Redevelopment Authority who shall serve in an advisory capacity to the City’s governing body regarding the development of a reuse plan for the Naval Marine Reserve Center, located on Kenhorst Boulevard Avenue, in Council District 1 (City Council) ***TO BE DISTRIBUTED ON MONDAY***

Ordinance – authorizing the execution of a deed, and any other required documents, to convey the premises situate at 400 S. 6th Street from the City of Reading to the Reading Redevelopment Authority. (Solicitor)

Ordinance– authorizing the execution of a deed, and any other required documents, to convey the premises situate at 401–403 S. 6th Street from the City of Reading to the Reading Redevelopment Authority. (Solicitor)

Ordinance– authorizing the execution of a deed, and any other required documents, to convey the premises situate at 422 S. 6th Street, Reading, Berks County, Pennsylvania, from the City of Reading to the Reading Redevelopment Authority. (Solicitor)

Ordinance– amending the Housing Permit Ordinance by reducing the number of Disruptive Conduct Reports needed for the eviction of the tenant(s) and increasing the appeal fee from \$50 to \$75 (Council Public Safety Committee)

RESOLUTIONS

No resolutions were put forward for adoption at this meeting.

COUNCIL COMMENT

Councilor Fuhs noted that Council’s concerns with the process used to select the services of Isett & Olsen pertains to the actions of the Administration not about the qualifications or actions of these two professional companies.

Councilor Baez noted her town meeting scheduled for Thursday May 15, 2008 at 6 pm at St. Marks United Church of Christ.

Councilor Sterner congratulated those who have worked in the Weed & Seed effort. He thanked the City’s Police Officers who work everyday to protect and serve. He also expressed his congratulations to Gabriela Raful.

Councilor Sterner asked BWIC and others to allow Council and the expected LRA to take the proper steps and follow the process without interference.

Councilor Marmarou reminded all that the Pagoda is an icon belonging to both City and County residents. He asked all private and public entities to work together to preserve this facility.

Councilor Goodman–Hinnershitz expressed thanks to all the community groups in District 2. She congratulated the 14th & Muhlenberg group on their ability to network around critical issues. She also congratulated Southwest Peoples Voice for their focus on quality of life problems.

Councilor Goodman–Hinnershitz thanked the Public Works Dept. for their prompt removal of graffiti on the Lindberg viaduct this week. She suggested that the City consider a mural project on the viaduct to reduce future graffiti.

Councilor Goodman–Hinnershitz noted Council's work to obtain information on the LRA process and the joint goal to move forward in a transparent manner.

Council President Spencer asked all citizens to remember warm weather quality of life issues; such as, high grass, noise, and dog waste. He encouraged all citizens to report quality of life problems in their neighborhoods.

Councilor Goodman–Hinnershitz moved, seconded by Councilor Sterner, to adjourn the regular meeting of Council.

Linda Kelleher
City Clerk



CITY OF READING,
PENNSYLVANIA

M E M O R A N D U M

TO: Linda Kelleher, City Clerk
Michelle Katzenmoyer, Deputy City Clerk
FROM: Ryan Hottenstein, Acting Managing Director
DATE: April 14, 2008
SUBJECT: Passage of a resolution authorizing the Mayor to execute a
2008 Action Plan amendment.

Community Development is asking City Council to approve the amendment at the **Tuesday, May 27, 2008** City Council meeting.

BACKGROUND: Approximately \$100,000 in un-programmed CDBG funding is currently available to re-program to the activity.

BUDGETARY IMPACT: None.

PREVIOUS ACTION: None

SUBSEQUENT ACTION: None.

RECOMMENDED BY: Mayor and Acting Managing Director.

RECOMMENDED MOTION: To amend the FFY2008 one year Action and the FFY2004 to FFY2008 five year Consolidated Plan to provide \$100,000 in un-programmed CDBG funds for the Phase III renovations to City Park.



RESOLUTION NO. _____

**RESOLUTION OF THE COUNCIL OF THE CITY OF READING
AUTHORIZING THE MAYOR TO EXECUTE A
FFY2008 ONE YEAR ACTION PLAN
AND FFY2004 TO FFY2008 FIVE YEAR CONSOLIDATED PLAN
AMENDMENT**

WHEREAS, under 24 CFR Part 91, the U.S. Department of Housing and Urban Development (HUD) outlines the consolidated submissions for community planning and development programs which will serve as: (1) a planning document for the City that builds on a participatory process at the grass roots level, (2) an application for federal funds under HUD's formula grant program, (3) a strategy to be followed in carrying out HUD programs, and (4) an Action Plan that provides a basis for assessing performance;

WHEREAS, the FFY2004 to FFY2008 five year Consolidated Plan (30th to 34th CD years January 1, 2004 to December 31, 2008) and the FFY2008 one year Action Plan (34th CD year January 1, 2008 to December 31, 2008) have been prepared meeting HUD's requirements and providing guidance for addressing the housing and community development needs of the City;

WHEREAS, \$100,000 is available in CDBG funds to re-program for eligible and fundable activities.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING THAT:

The FFY2008 one year Action and FFY2004 to FFY2008 five year Consolidated Plans are amended to transfer \$100,000 in unprogrammed CDBG funds to create a new activity entitled as the City Park Improvements Phase III - 11th and Washington Streets. The improvements include (but are not limited to) designing, planning and constructing natural and man-made elements, including trees, retaining walls, berms, swales, grading, water features, and recreation amenities in the vicinity of the City Park bandshell. The activity service area is composed of 68.4% low / moderate income persons. The activity's eligibility / fundability is low mod area 24CFR570.208(a)(1) / public facilities and improvements 24CFR570.201(c).

The Mayor, on behalf of the City of Reading, is authorized and directed to execute the amendment to the satisfaction of HUD.

PASSED COUNCIL _____, 2008

**_____
PRESIDENT OF COUNCIL**

ATTEST:

**_____
CITY CLERK**



AGENDA MEMO

FINANCE DEPARTMENT

TO: City Council
FROM: Heather L. Dunkle, Purchasing Coordinator
PREPARED BY: Heather L. Dunkle, Purchasing Coordinator
MEETING DATE: May 27, 2008
AGENDA MEMO DATE: May 21, 2008
RECOMMENDED ACTION: Awarding of Contract for Sodium Hydroxide for the Department of Public Works and City of Reading, on behalf of the Reading Area Water Authority.

RECOMMENDATION

The recommendation is to award the contract for the 25% NaOH diaphragm grade delivered in bulk and the 50% NaOH diaphragm grade delivered in bulk to North Industrial Chemicals, P.O. Box 1904, York, PA 17405, who is the low bidder, at the submitted unit prices of \$0.993/gallon and \$1.987/gallon respectively. These awards bring the estimated total bid price to \$129,140.

BACKGROUND

Bids for sodium hydroxide for use by the Reading Area Water Authority Authority and the Utilities Division of Public Works were received on April 18, 2008. The bids were received as a rebid, because the original awarded vendor back in January withdrew.

A copy of the Schedule of Bids is attached for your review.

BUDGETARY IMPACT

The Department of Public Works and Accounting have confirmed there are sufficient funds in budget account code 54-07-44-4513 and the Reading Area Water Authority and Accounting have confirmed there are sufficient funds in budget account code 50-15-84-4513 to cover this contract.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the May 27, 2008 meeting.

RECOMMENDED BY

Mayor, Acting Managing Director, Directors of Public Works and Finance, Executive Director of RAWA and Purchasing Coordinator.

RECOMMENDED MOTION

Approve/Deny the recommendation to award the contract to North Industrial Chemicals for the purchase of sodium hydroxide.

pc: File

April 18, 2008

To the Mayor
City Hall
Reading, PA

The following bids were opened and scheduled, with a Contract to be awarded or the bids rejected.

BID NO. 4005-08 FOR SODIUM HYDROXIDE FOR THE WASTEWATER TREATMENT PLANT, DEPARTMENT OF PUBLIC WORKS AND THE CITY OF READING, PENNSYLVANIA, ON BEHALF OF THE READING AREA WATER AUTHORITY.

BULK –

30,000 GALLONS - 25% NaOH DIAPHRAGM GRADE

<u>BIDDER</u>	<u>UNIT PRICE</u>	<u>EXTENDED PRICE</u>
North Industrial Chemicals P.O. Box 1904 York, PA 17405	\$0.993/gal	\$29,790.00
Basic Chemical Solutions, LLC 5 Steel Road East Morrisville, PA 19067	\$1.011/gal	\$30,330.00
Univar USA Inc. 532 East Emaus Street <u>Middletown, PA 17057</u>	\$1.176/gal	\$35,280.00
Main Pool & Chemical 110 Commerce Road Dupont, PA 18641		NO BID
Kuehne Chemical Co. 86 North Hackensack Avenue South Kearny, NJ 07032		NO SURETY

50,000 GALLONS – 50% NaOH DIAPHRAGM GRADE

<u>BIDDER</u>	<u>UNIT PRICE</u>	<u>EXTENDED PRICE</u>
North Industrial Chemicals	\$1.987/gal	\$99,350.00
Basic Chemical Solutions, LLC	\$2.201/gal	\$110,050.00
<u>Univar USA Inc.</u>	<u>\$2.384/gal</u>	<u>\$119,200.00</u>
Main Pool & Chemical		NO BID
Kuehne Chemical Co.		NO SURETY

TOTES –

60 TOTES - 25% DIAPHRAGM GRADE IN RETURNABLE CONTAINERS

<u>Univar USA Inc.</u>	<u>\$338.31/tote</u>	<u>\$20,298.60</u>
Main Pool & Chemical	\$387.00/tote	\$23,220.00
North Industrial Chemicals	\$1.327/gal	\$25,876.51
Basic Chemical Solutions, LLC		NO BID
Kuehne Chemical Co.		NO BID

EMERGENCY –

EMERGENCY ONLY – 20% NaOH DIAPHRAGM GRADE

Basic Chemical Solutions, LLC	\$0.811/gal
Univar USA Inc.	\$0.967/gal
Main Pool & Chemical	NO BID
North Industrial Chemicals	NO BID
Kuehne Chemical Co.	NO BID

HEATHER L. DUNKLE
Purchasing Coordinator



AGENDA MEMO

FINANCE DEPARTMENT

TO: City Council
FROM: Heather Dunkle, Purchasing Coordinator
PREPARED BY: Heather Dunkle, Purchasing Coordinator
MEETING DATE: May 27, 2008
AGENDA MEMO DATE: May 21, 2008
RECOMMENDED ACTION: Awarding of Contract for improvements to the Hampden Park Tennis Courts for the Departments of Public Works and Community Development.

RECOMMENDATION

The recommendation is to award the contract to Grace Industries, 7171 Airport Road, Bath, PA 18014, at a total bid price of \$314,480.00 for various improvements to the Hampden Park Tennis Courts for the Departments of Public Works and Community Development. Grace Industries is the low bidder to meet the specifications.

BACKGROUND

Bids for improvements at the Hampden Park Tennis Courts for the Departments of Public Works and Community Development were received on May 2, 2008. The bid award is based on various items which include existing court demolition, court reconstruction, fencing, play surface, lighting, parking lot addition, and accessories.

A copy of the Schedule of Bids is attached for your review.

BUDGETARY IMPACT

The Department of Community Development and Accounting have confirmed that funds sufficient for this contract have been included in Account Code 32-10-00-4212, project #32-00-77. The Reading School District will reimburse the City \$149,480.00 for this project.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the May 27, 2008 meeting.

RECOMMENDED BY

Mayor, Acting Managing Director, Acting CD Director, Directors of Finance and Public Works and Purchasing Coordinator.

RECOMMENDED MOTION

Approve/Deny the recommendation for the purchase of the improvements to the Hampden Park Tennis Courts in order that the contract may be awarded to Grace Industries.

cc: File

May 2, 2008

To the Mayor
City Hall
Reading, PA

The following bids were opened and scheduled, with a Contract to be awarded or the bids rejected.

**BID NO. 4002-08 FOR THE HAMPDEN PARK TENNIS COURT PROJECT FOR THE
DEPARTMENT OF PUBLIC WORKS, CITY OF READING, PENNSYLVANIA**

COURT DEMOLITION

<u>BIDDER</u>	<u>PRICE</u>
Grace Industries, Inc. 7171 Airport Road Bath, PA 18014	\$41,528.00
Sport Builders, Inc. 4401 Perkiomen Avenue Reading, PA 19606	\$30,000.00
Schlouch Inc. 132 Excelsior Drive Blandon, PA 19510	\$29,400.00
Windsor Service 2415 Kutztown Road Reading, PA 19605	\$35,985.00

COURT RECONSTRUCTION

Grace Industries, Inc.	\$87,529.00
Sport Builders, Inc.	\$118,000.00
Schlouch Inc.	\$128,280.00
Windsor Service	\$119,850.00

FENCE INSTALLATION

<u>BIDDER</u>	<u>PRICE</u>
Grace Industries, Inc.	\$48,200.00
Sport Builders, Inc.	\$39,000.00
Schlouch Inc.	\$52,910.00
Windsor Service	\$50,400.00

PLAYING SURFACE

Grace Industries, Inc.	\$23,800.00
Sport Builders, Inc.	\$35,000.00
Schlouch Inc.	\$25,850.00
Windsor Service	\$24,675.00

LIGHTING

Grace Industries, Inc.	\$69,285.00
Sport Builders, Inc.	\$79,000.00
Schlouch Inc.	\$95,700.00
Windsor Service	\$128,300.00

PARKING LOT ADDITION

Grace Industries, Inc.	\$32,500.00
Sport Builders, Inc.	\$10,000.00
Schlouch Inc.	\$17,460.00
Windsor Service	\$11,500.00

ACCESSORIES

<u>BIDDER</u>	<u>PRICE</u>
Grace Industries, Inc.	\$11,638.00
Sport Builders, Inc.	\$22,000.00
Schlouch Inc.	\$10,450.00
Windsor Service	\$24,400.00
<u>TOTAL BID PRICE</u>	
Grace Industries, Inc.	\$314,480.00
Sport Builders, Inc.	\$333,000.00
Schlouch Inc.	\$360,050.00
Windsor Service	\$395,110.00

HEATHER DUNKLE
Purchasing Coordinator

TO: City Council

FROM: Heather Dunkle, Purchasing Coordinator
PREPARED BY: Heather Dunkle, Purchasing Coordinator
MEETING DATE: May 27, 2008
AGENDA MEMO DATE: May 21, 2008
RECOMMENDED ACTION: Awarding of Contract for a User Fee Study for the Department of Finance.

RECOMMENDATION

The recommendation is to award the contract to Maximus, 2405 Park Drive, Suite 101, Harrisburg, PA 17110, at the total fee of \$74,400.

BACKGROUND

Proposals for conducting a user fee study were received on April 23, 2008 for the Department of Finance. The responses to the requests for proposals were evaluated independently by the members of the RFP selection review committee. The proposals were rated on the basis of experience, qualifications, past performance, cost and scope of services provided. All evaluators of the proposals ranked Maximus the highest of all proposers and recommend their appointment.

BUDGETARY IMPACT

The Department of Finance and Accounting have confirmed that funds sufficient for this contract have been included in Account Codes 01-14-91-4216 (\$39,400) and 31-00-00-4216 (\$35,000).

PREVIOUS ACTIONS

None.

SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the May 27, 2008 meeting.

RECOMMENDATION

The recommendation is that City Council approve the recommendation of the Administration to employ Maximus to conduct a user fee study for the Department of Finance.

RECOMMENDED BY

Mayor, Acting Managing Director, Director of Finance and Purchasing Coordinator.

RECOMMENDED MOTION

To approve/deny Administration's recommendation that Maximus be retained to conduct a user fee study.

cc: File

TO: City Council
FROM: Shelly Katzenmoyer, Deputy City Clerk
DATE: May 23, 2008
SUBJECT: RFP Opening – User Fee Study

RFPs were received from the following:

- MGT of America – Sacramento, CA
- Maximus – Harrisburg, PA

Reading Parking Authority Memo

To: Reading City Council

From: Lawrence Lee Executive Director, Reading Parking Authority Date: Monday April 7, 2008.
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Re: Abandoned Vehicles

Background

75 Pa. C.S. 7303.1 states that the abandoned vehicle reports that must be completed - can be completed by a police officer or personnel designated by ordinance.

This section from the PA Vehicle Code allows for personnel designated by ordinance to be empowered to complete the abandoned vehicle reports.

Previous Action Required / Completed

The abandoned vehicle report was completed by the RPD when the Parking Authority utilized Vince's Towing. This was done in compliance with the towing contract between the City and Vince's Towing. The Parking Authority now utilizes KJ Towing for all of our towing needs. The RPD is reluctant to fill out the abandoned vehicle reports for KJ Towing because of the contractual obligations with Vince's Towing.

Review and Recommendation

The Parking Authority recognizes and understands the RPD's reluctance to fill out the abandoned vehicles report. In an effort to ensure no legal conflict, the Parking Authority requests that city council enact an ordinance empowering a badged officer from the Parking Authority to fill out the abandoned vehicles report. This will allow the RPD to complete the abandoned vehicle report in conjunction with their actions with Vince and still allow the Parking Authority to do the same in conjunction with its contracted tower; thus avoiding any legal conflict. The Parking Authority would also become a more active player in removing abandon vehicles from the streets of Reading.

Recommended Motion

Approve an ordinance to empower a badged officer from the Parking Authority to fill out the abandoned vehicle reports.

B I L L N O. ____ 2008

AN ORDINANCE

AN ORDINANCE EMPOWERING THE READING PARKING AUTHORITY ENFORCEMENT OFFICERS TO ISSUE ABANDONED VEHICLE REPORTS FOR ALL VEHICLES TOWED BY THE READING PARKING AUTHORITY DUE TO PARKING VIOLATIONS, IN ACCORDANCE WITH THE PENNSYLVANIA VEHICLE CODE 75 Pa. C.S. 7303.1.

NOW THEREFORE, THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Empowering Reading Parking Authority Enforcement Officers to issue abandoned vehicle reports for all vehicles towed by the Reading Parking Authority due to parking violations, in accordance with the Pennsylvania Vehicle Code 75 Pa. C.S. 7303.1.

SECTION 2. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or re-passage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2008

President of Council

Attest:

City Clerk

(Police Dept, Reading Parking Authority & Council Staff)

CITY OF READING
BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. ____ 2008

ENACTED: _____, 2008

AN ORDINANCE OF THE COUNCIL OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, SETTING FORTH ITS INTENT TO ISSUE A SERIES OF GENERAL OBLIGATION BONDS OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FIVE MILLION NINE HUNDRED THOUSAND DOLLARS (\$5,900,000) PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, 53 PA.C.S. CHAPTERS 80-82, AS AMENDED, REENACTED AND SUPPLEMENTED, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT (THE "ACT"); FINDING THAT A PRIVATE SALE BY NEGOTIATION IS IN THE BEST FINANCIAL INTERESTS OF THE CITY; DETERMINING THAT SUCH BONDS SHALL EVIDENCE NONELECTORAL DEBT OF THE CITY; SPECIFYING THAT SUCH INDEBTEDNESS TO BE INCURRED TO PROVIDE FUNDS FOR CERTAIN PROJECTS OF THE CITY WHICH INCLUDES THE FOLLOWING: (1) CURRENT REFUNDING OF THE WASHINGTON COUNTY AUTHORITY'S OUTSTANDING MUNICIPAL FACILITIES LEASE REVENUE BONDS (POOLED CAPITAL PROGRAM), SERIES 1985 A-1 SUBSERIES B (CITY OF READING PROJECT); AND (2) PAYING THE COSTS AND EXPENSES OF ISSUANCE OF THE BONDS; SETTING FORTH THE REASONABLE ESTIMATED USEFUL LIVES OF THE CAPITAL PROJECTS THAT ARE TO BE REFINANCED BY THE BONDS; ACCEPTING A PROPOSAL FOR THE PURCHASE OF SUCH BONDS AT PRIVATE SALE BY NEGOTIATION; PROVIDING THAT SUCH BONDS, WHEN ISSUED, SHALL CONSTITUTE A GENERAL OBLIGATION OF THE CITY; FIXING THE DENOMINATIONS, DATED DATE, INTEREST PAYMENT DATES, MATURITY DATES, INTEREST RATES, REDEMPTION PROVISIONS, MANDATORY REDEMPTION PROVISIONS (IF APPLICABLE) AND PLACE OF PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS; AUTHORIZING SPECIFIED OFFICERS OF THE CITY TO CONTRACT WITH THE PAYING AGENT FOR ITS SERVICES IN CONNECTION WITH THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE BONDS EVIDENCING THE DEBT; AUTHORIZING EXECUTION AND ATTESTATION OF SUCH BONDS; PROVIDING COVENANTS RELATED TO DEBT SERVICE APPLICABLE TO SUCH BONDS TO THE EXTENT REQUIRED BY THE ACT AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY IN SUPPORT THEREOF; CREATING A SINKING FUND IN CONNECTION WITH SUCH BONDS, TO THE EXTENT REQUIRED BY THE ACT; DESIGNATING THE PAYING AGENT TO BE THE SINKING FUND DEPOSITORY; AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT BY AND BETWEEN THE CITY AND THE ESCROW AGENT NAMED THEREIN IN CONNECTION WITH THE REFUNDING OF SUCH 1985

BONDS; PROVIDING A COVENANT TO INSURE PROMPT AND FULL PAYMENT FOR SUCH BONDS WHEN DUE; SETTING FORTH REGISTRATION AND TRANSFER PROVISIONS WITH RESPECT TO SUCH BONDS; AUTHORIZING THE EXECUTION OF ONE OR MORE INVESTMENT AGREEMENTS BY SPECIFIED OFFICERS OF THE CITY (IF APPLICABLE) AND THE PURCHASE OF CERTAIN U.S. TREASURY OBLIGATIONS OR ANY OTHER SECURITIES OR INVESTMENTS IN CONNECTION WITH THE PROJECT AND THE REFUNDING OF SUCH 1985 BONDS; AUTHORIZING AND DIRECTING SPECIFIED OFFICERS OF THE CITY TO DO, TO TAKE AND TO PERFORM CERTAIN SPECIFIED, REQUIRED, NECESSARY OR APPROPRIATE ACTS TO EFFECT THE ISSUANCE OF THE BONDS, INCLUDING, WITHOUT LIMITATION, THE PREPARATION OF A DEBT STATEMENT AND BORROWING BASE CERTIFICATE, AND THE FILING OF SPECIFIED DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, ALL AS REQUIRED BY THE ACT; DECLARING THAT THE DEBT TO BE EVIDENCED BY SUCH BONDS, TOGETHER WITH ALL OTHER INDEBTEDNESS OF THE CITY, WILL NOT BE IN EXCESS OF ANY APPLICABLE LIMITATION IMPOSED BY THE ACT; AUTHORIZING PROPER OFFICERS OF THE CITY TO DELIVER THE BONDS UPON THE APPROVAL OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; SETTING FORTH CERTAIN COVENANTS PRECLUDING THE CITY FROM TAKING ACTIONS WHICH WOULD CAUSE THE BONDS TO BECOME "ARBITRAGE BONDS" OR "PRIVATE ACTIVITY BONDS," AS THOSE TERMS ARE USED IN THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), AND APPLICABLE REGULATIONS PROMULGATED THEREUNDER; AUTHORIZING THE PURCHASE OF BOND INSURANCE (IF APPLICABLE); SETTING FORTH THE PROVISIONS, IF ANY, REQUIRED TO BE INCLUDED BY THE BOND INSURER; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE AND COVENANTING TO COMPLY WITH THE PROVISIONS THEREOF; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INsofar AS THE SAME SHALL BE INCONSISTENT HERewith.

WHEREAS, City of Reading, Berks County, Pennsylvania (the "City"), is a third-class city of the Commonwealth of Pennsylvania (the "Commonwealth"); and

WHEREAS, the City, in contemplation of the issuance and sale its General Obligation Bonds in an aggregate principal amount not to exceed Five Million Nine Hundred Thousand Dollars (\$5,900,000), to provide funds for and towards certain projects of the City, has determined that the Bonds (hereinafter defined) shall be offered for sale at a private sale by negotiation pursuant to the provisions of the Local Government Unit Debt Act of the Commonwealth, as re-enacted and amended (the "Act") and has determined that a private sale by negotiation is in the best financial interests of the City; and

WHEREAS, the Council of the City (the “Council”) has determined that such Bonds will be issued in one series and designated generally as “City of Reading, Berks County, Pennsylvania, General Obligation Bonds, Series A of 2008” (the “Bonds”) or such other name or designations as shall be selected by the Mayor upon delivery of the Bonds in accordance with Section 7 hereof; and

WHEREAS, the Bonds shall be issued in the aggregate principal amount not to exceed Five Million Nine Hundred Thousand Dollars (\$5,900,000); and

WHEREAS, the Council has determined to accept the proposal of PNC Bank, National Association or an assignee designated in writing by the City (the “Purchaser”), for the purchase of the Bonds, such sale to be conditioned upon, among other things, the receipt of approval from the Department of Community and Economic Development of the Commonwealth (the “Department”) relating to the issuance of the indebtedness to be evidenced by the Bonds; and

WHEREAS, the Washington County Authority has heretofore issued its Municipal Facilities Lease Revenue Bonds (Pooled Capital Program), Series 1985 A-1 Subseries B (City of Reading Project) on behalf of the City in the aggregate principal amount of \$14,850,000, of which \$6,400,000 remains outstanding (the “1985 Bonds”); and

WHEREAS, the City has determined to currently refund the 1985 Bonds; and

WHEREAS, the City desires to authorize the refunding of the 1985 Bonds for the purpose of reducing the total debt service over the life of the 1985 Bonds; and

WHEREAS, a portion of the proceeds of the Bonds may be deposited in escrow pursuant to the terms of an escrow agreement (the “Escrow Agreement”), to be executed by and between the City and an escrow agent named therein (the “Escrow Agent”), such that the proceeds of the Bonds, together with interest to be earned thereon (if any), will be held by the Escrow Agent in a separate escrow account and irrevocably pledged for the redemption of the 1985 Bonds, all as shall be set forth more fully in the Escrow Agreement; and

WHEREAS, the Bonds which are being issued to refund the 1985 Bonds will not be outstanding through a maturity date that could not have been included in the issue of the 1985 Bonds; and

WHEREAS, the Council has determined to and desires to accept the proposal of the Purchaser and to incur nonelectoral debt in the aggregate principal amount not to exceed Five Million Nine Hundred Thousand Dollars (\$5,900,000) to be issued from time to time to fund certain projects (hereinafter described) of the City pursuant to the provisions of the Act.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Council of City of Reading, Berks County, Pennsylvania, in lawful session duly assembled, as follows:

Pursuant to the provisions of this Ordinance, the Council hereby authorizes and directs the issuance of the Bonds in one series in the aggregate principal amount not to exceed Five Million Nine Hundred Thousand Dollars (\$5,900,000) to be designated generally

as “City of Reading, Berks County, Pennsylvania, General Obligation Bonds, Series A of 2008” or such other name or designation as shall be selected by the Mayor of the City upon delivery of the Bonds in accordance with the requirements of Section 8 hereof. The Bonds shall be issued and sold in accordance with the provisions of the Act by private sale by negotiation. In connection therewith, the Council hereby finds and determines that a private sale by negotiation is in the best financial interests of the City.

The Council determines that the debt to be incurred pursuant to this Ordinance, and which will be evidenced by the Bonds, shall be nonelectoral debt of the City.

A brief description of the project (the “Project”) to be funded with, among other things, the proceeds of the Bonds to be issued from time to time pursuant to this Ordinance is as follows: (1) current refunding the 1985 Bonds; and (2) paying the costs and expenses of issuance of the Bonds. The Council hereby approves the project.

The remaining realistic estimated useful lives of the capital projects originally financed by the 1985 Bonds and to be refinanced by the Bonds are at least 15 years. It is hereby certified that an aggregate principal amount of the Bonds at least equal to the realistic estimated cost of each such capital project shall mature prior to the end of the useful life of such project.

Stated installments or maturities of principal of the issue of Bonds will not be deferred beyond the later of one year after the estimated date for the completion of the construction portion of the Project, if any, or two years from the date of issue of the Bonds.

In connection with the issuance and sale of the Bonds, the Council of the City, as required by the provisions of the Act, hereby finds, determines and states (a) that the purpose of the refunding of the 1985 Bonds is to reduce total debt service over the life of the 1985 Bonds; and (b) that the refunding of the 1985 Bonds is authorized and permitted under and pursuant to the provisions of Section 8241 of the Act. The Council further finds and determines that the final maturity date of the Bonds issued to effect the refunding of the 1985 Bonds does not extend to a date that could not have been included in the 1985 Bond issue.

The Council of the City hereby authorizes and directs its proper officers, agents and employees to execute all documents and take all actions necessary in connection with accomplishing the refunding of the 1985 Bonds, including, but not limited to providing notice to the Trustee for the 1985 Bonds, and to call the 1985 Bonds for optional redemption in full on the first date the 1985 Bonds are eligible to be called for optional redemption. In accordance with Section 8246 of the Act, it is the intent of the Council that the 1985 Bonds shall no longer be outstanding from and after the date of the issuance of the Bonds.

Subject to the approval of the Department, as required by the provisions of the Act, the Council shall and does hereby accept the proposal of the Purchaser, for the purchase of the Bonds in accordance with the terms and conditions of this Ordinance and the Purchaser’s proposal, dated _____, 2008 (the “Proposal”). The sale of the Bonds shall be for an aggregate purchase price of not less than 97.0% nor more than 105.0% of the par amount of the Bonds issued by the City, exclusive of any original issue discount and any

original issue premium, plus accrued interest, if any, from the date of the Bonds to the date of delivery thereof. The Mayor of the City is hereby authorized and directed to accept and to execute the Proposal in the name and on behalf of the City, and the City Clerk of the City is hereby authorized and directed to attest to such acceptance and execution. A copy of the Proposal, as presented to the Council and accepted by this Ordinance, is incorporated herein by reference and shall be attached to this Ordinance and maintained with the minutes of this meeting. The bid security, if any, accompanying the Proposal shall be held and shall be applied as provided by the Act; provided, however, that no allowance for interest shall be made by the City with respect to such bid security, except as provided by the Act.

Upon final pricing of the Bonds, the Purchaser will present to the City an Addendum to the Proposal setting forth the final terms and conditions of the Bonds, including the final principal amount, interest rates, redemption provisions and purchase price for the Bonds (the "Addendum"). As long as the terms and conditions set forth in the Addendum satisfy the parameters set forth in this Ordinance, the Mayor of the City is hereby authorized and directed to accept and to execute the Addendum in the name and on behalf of the City, and the City Clerk of the City is hereby authorized and directed to attest to such acceptance and execution.

The Bonds, when issued, will be a general obligation of the City and the final aggregate principal amount of the Bonds to be issued may be less than \$10,000,000.

The Bonds shall be fully registered, without coupons, in denominations of \$5,000 or any integral multiple thereof, in substantially the form hereinafter set forth in Section 10. The Bonds shall be dated as set forth in the definitive Bonds as delivered to the Purchaser in accordance with the provisions hereof, and shall bear interest from that date at the applicable rates per annum as set forth in Section 8, payable in accordance with the provisions of the Bonds and this Ordinance, semiannually on June 15 and December 15 (each an "Interest Payment Date") in each year, commencing with the June 15 or December 15 following the delivery of the Bonds, until maturity or prior redemption.

The Bonds shall bear interest at rates not to exceed the maximum rates of interest and shall mature, whether by maturity or mandatory sinking fund redemption on the dates and in the amounts not to exceed the maximum amounts as set forth on Exhibit A attached hereto.

The Bonds shall be subject to optional and mandatory sinking fund redemption as set forth in the definitive Bonds as delivered to the Purchaser in accordance with the provisions hereof.

In lieu of such mandatory redemption, the Paying Agent, on behalf of the City, may purchase, from money in the Sinking Fund, or the City may tender to the Paying Agent, all or part of the Bonds subject to mandatory redemption in any such year.

If a Bond is of a denomination larger than \$5,000, a portion of such Bond may be redeemed. For the purposes of redemption, such Bond shall be treated as representing that number of Bonds which is obtained by dividing the principal amount thereof by \$5,000, each \$5,000 portion of such Bond being subject to redemption. In the event of a partial redemption of

a Bond, payment of the redemption price shall be made only upon surrender of such Bond in exchange for Bonds of the same series and of authorized denominations in an aggregate principal amount equal to the unredeemed portion of the principal amount thereof.

Any redemption of Bonds shall be upon notice effected by mailing a copy of the redemption notice by first-class mail, postage prepaid, such notice to be sent not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption, addressed to the registered owners of Bonds to be redeemed at their addresses shown on the registration books kept by the Paying Agent (hereinafter defined) as of the date the Bonds are selected for redemption; provided, however, that failure to give such notice by mailing, or any defect therein or in the mailing thereof, shall not affect the validity of any proceeding for redemption of other Bonds called for redemption as to which proper notice has been given.

If at the time of mailing of the notice of redemption the City shall not have deposited with the Paying Agent moneys sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption moneys with the Paying Agent no later than the opening of business on the redemption date, and such notice shall be of no effect unless such moneys are so deposited.

On the date designated for redemption, notice having been provided as aforesaid, and money for payment of the principal and accrued interest being held by such Paying Agent, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and such Bonds or portions thereof shall cease to be entitled to any benefit or security under this Ordinance, and registered owners of such Bonds shall have no rights with respect to such Bonds, except to receive payment of the principal of and accrued interest on such Bonds to the date fixed for redemption.

If the redemption date for any Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or by executive order to remain closed, then the payment of such principal and interest upon such redemption need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or day on which such banking institutions are authorized to remain closed, with the same force and effect as if made on the nominal date of redemption, and no interest shall accrue after such date.

The proper officers of the City are hereby authorized, empowered and directed to contract with a bank or bank and trust company authorized to do business in the Commonwealth of Pennsylvania and who has an office in the Commonwealth of Pennsylvania (the "Paying Agent"), for its services as paying agent and sinking fund depositary in accordance with the terms and conditions of the Proposal, this Ordinance and the Act. Payment of the principal of and interest on the Bonds shall be made, when due, in accordance with the provisions of the Bonds, at the corporate trust office of the Paying Agent in lawful money of the United States of America.

The Bonds shall be in substantially the form set forth in Exhibit "B". The form of the Bonds as submitted to the City is hereby approved in substantially such form, with such changes, insertions and variations as are necessary or appropriate to reflect the final terms,

including, but not limited to, the name or designation and the final redemption provisions, of the Bonds as specified to the City in the delivery instructions of the Purchaser and such other changes as the Mayor of the City may approve upon advice of counsel to the City, such approval to be evidenced by such officer's execution and delivery of the Bonds.

The Bonds shall be executed in the name and on behalf of the City by the true or facsimile signature of the Mayor of the City and the true or facsimile official seal of the City shall be affixed thereunto, duly attested by the true or facsimile signature of the City Clerk of the City. Said officers are authorized and directed to execute and attest the Bonds. The execution and delivery of the Bonds shall constitute conclusive proof of the approval of the final terms and provisions of the Bonds by the City.

No Bond constituting one of the Bonds shall be entitled to any benefit under this Ordinance nor shall it be valid, obligatory or enforceable for any purpose until such Bond shall have been registered and authenticated by the Certificate of Authentication endorsed thereon duly signed by the Paying Agent; and the Paying Agent is authorized to register and authenticate the Bonds in accordance with the provisions hereof.

The Bonds shall initially be issued in the form of one fully-registered Bond for the aggregate principal amount of the Bonds of each maturity, which Bonds shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"). The Bonds issued in the name of Cede & Co. in accordance with the provisions of this Section may be issued in typewritten form satisfactory to DTC. Except as provided below all of the Bonds shall be registered in the registration books kept by the Paying Agent in the name of Cede & Co., as nominee of DTC; provided that if DTC shall request that the Bonds be registered in the name of a different nominee, the Paying Agent shall exchange all or any portion of the Bonds for an equal aggregate principal amount of Bonds registered in the name of such nominee or nominees of DTC. No person other than DTC or its nominee shall be entitled to receive from the City or the Paying Agent either a Bond or any other evidence of ownership of the Bonds, or any right to receive any payment in respect thereof unless DTC or its nominee shall transfer record ownership of all or any portion of the Bonds on the registration books maintained by the Paying Agent, in connection with discontinuing the book-entry system as below or otherwise.

So long as the Bonds or any portion thereof are registered in the name of DTC or any nominee thereof, all payments of the principal or redemption price, if any, of or interest on such Bonds shall be made to DTC or its nominee. Each such payment to DTC or its nominee shall be valid and effective to fully discharge all liability of the City or the Paying Agent with respect to the principal or redemption price of or interest on the Bonds to the extent of the sum or sums so paid.

The City and the Paying Agent shall treat DTC (or its nominee) as the sole and exclusive registered owner of the Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to registered owners of the Bonds, registering the transfer of the Bonds, obtaining any consent or other action to be taken by registered owners of the Bonds and for all other purposes whatsoever; and neither the City nor the Paying Agent shall be affected by any notice to the contrary. Neither the City nor the Paying

Agent shall have any responsibility or obligation to any participant in DTC, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any such participant, or any other person which is not shown on the registration books of the Paying Agent as being a registered owner, with respect to: (1) the Bonds; (2) the accuracy of any records maintained by DTC or any such participant; (3) the payment by DTC or any such participant of any amount in respect of the principal or redemption price of or interest on the Bonds; (4) any notice which is permitted or required to be given to registered owners of the Bonds; (5) the selection by DTC or any such participant of any person to receive payment in the event of a partial redemption of the Bonds; or (6) any consent given or other action taken by DTC as the registered owner of the Bonds.

So long as the Bonds or any portion thereof are registered in the name of DTC or any nominee thereof, all notices required or permitted to be given to the registered owners of the Bonds under this Ordinance shall be given to DTC.

In connection with any notice or other communication to be provided to registered owners of the Bonds pursuant to this Ordinance by the City or the Paying Agent with respect to any consent or other action to be taken by registered owners of the Bonds, DTC shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action, provided that the City or the Paying Agent may establish a special record date for such consent or other action. The City or the Paying Agent shall give DTC notice of such special record date not less than 10 calendar days in advance of such special record date to the extent possible.

The book-entry system for registration of the ownership of the Bonds may be discontinued at any time if: (1) after notice to the City and the Paying Agent, DTC determines to resign as securities depository for the Bonds; (2) after notice to DTC and the Paying Agent, the City determines that continuation of the system of book-entry transfers through DTC (or through a successor securities depository) is not in the best interests of the City or the beneficial owners of the Bonds. In any such event, unless the City appoints a successor securities depository, the Bonds shall be delivered in registered certificate form to such persons, and in such maturities and principal amounts, as may be designated in writing by DTC, but without any liability on the part of the City or the Paying Agent for the accuracy of such designation. Whenever DTC requests the City and the Paying Agent to do so, the City and the Paying Agent shall cooperate with DTC in taking appropriate action after reasonable written notice to arrange for another securities depository to maintain custody of certificates evidencing the Bonds.

The City covenants to and with the registered owners from time to time of the Bonds that the City (i) shall include in its budget in each fiscal year the amount of the debt service for each fiscal year of the City in which such sums are payable, (ii) shall appropriate from its general revenues in each such fiscal year the amount required to pay debt service on the Bonds for such year, and (iii) shall duly and punctually pay or cause to be paid from its sinking fund or any other of its revenues or funds the principal amount of the Bonds and the interest due thereon at the dates and place and in the manner stated therein, according to the true intent and meaning thereof. For such budgeting, appropriation and payment, the City shall and does pledge, irrevocably, its full faith, credit and taxing power. As provided in Section 8104 of the Act, the foregoing covenant of the City shall be enforceable specifically.

The City hereby covenants to create and there is hereby created, pursuant to Section 8221 of the Act, a sinking fund for the Bonds, to be known as "Sinking Fund - City of Reading, Berks County, Pennsylvania, General Obligation Bonds, Series A of 2008" (the "Sinking Fund") or such other name or designation as selected by the proper officers of the City from time to time shall be established with the Paying Agent and administered in accordance with applicable provisions of the Act and this Ordinance.

The Paying Agent shall be the "sinking fund depository" with respect to the Sinking Fund created pursuant to Section 13. The City covenants and agrees to deposit in the Sinking Fund, on or before each Interest Payment Date, an amount which shall be sufficient to permit the Paying Agent to pay on such Interest Payment Date all principal and accrued interest becoming due with respect to the Bonds. After such deposit, the Paying Agent shall, without further authorization or direction from the City or any of its officials, upon proper and timely presentation, execution and surrender of the Bonds, with respect to the payment of principal of the Bonds, or at the Interest Payment Date, with respect to the payment of interest on the Bonds, withdraw moneys from the Sinking Fund and apply such moneys to the prompt and full payment of such obligations in accordance with the terms thereof, the terms and conditions of this Ordinance and the provisions of the Act.

Each Bond shall bear interest from the Interest Payment Date next preceding the date of registration and authentication of such Bonds, unless (a) such Bonds are registered and authenticated as of an Interest Payment Date, in which event such Bonds shall bear interest from said Interest Payment Date; or (b) the Bonds are registered and authenticated after a Record Date (hereinafter defined) and before the next succeeding Interest Payment Date, in which event such Bonds shall bear interest from such Interest Payment Date, or (c) the Bonds are registered and authenticated on or prior to the Record Date preceding the first Interest Payment Date, in which event such Bonds shall bear interest from the dated date thereof, or (d) as shown by the records of the Paying Agent, interest on such Bonds shall be in default, in which event such Bonds shall bear interest from the date on which interest was last paid on such Bonds. Interest shall be paid semiannually on June 15 and December 15 of each year, commencing with the June 15 or December 15 following the delivery of the Bonds, until the principal sum is paid. Interest on the Bonds is payable by check drawn on the Paying Agent, which shall be mailed to the registered owner whose name and address shall appear, at the close of business on the fifteenth (15th) day next preceding each Interest Payment Date (the "Record Date"), on the registration books maintained by the Paying Agent, irrespective of any transfer or exchange of the Bonds subsequent to such Record Date and prior to such Interest Payment Date, unless the City shall be in default in payment of interest due on such Interest Payment Date. In the event of any such default, such defaulted interest shall be payable to the person in whose name the Bonds are registered at the close of business on a special record date for the payment of such defaulted interest established by notice mailed by the Paying Agent to the registered owners of the Bonds not less than ten (10) days preceding such special record date. Such notice shall be mailed to the persons in whose names the Bonds are registered at the close of business on the fifth (5th) day preceding the date of mailing.

If the date for payment of the principal of or the interest on any Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are

authorized by law or executive order to remain closed, then the payment of such principal or interest need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to remain closed, with the same force and effect as if made on the nominal date of redemption, and no interest shall accrue after such date.

The City and the Paying Agent shall not be required: (i) to issue or to register the transfer of or exchange any Bonds then considered for redemption during a period beginning at the close of business on the fifteenth (15th) day next preceding any date of selection of Bonds to be redeemed and ending at the close of business on the day on which the applicable notice of redemption is given, or (ii) to register the transfer of or exchange any portion of any Bond selected for redemption, in whole or in part until after the date fixed for redemption. Bonds may be exchanged for a like aggregate principal amount of Bonds of other authorized denominations of the same maturity and interest rate.

The Bonds shall be transferable or exchangeable by the registered owner thereof upon surrender thereof to the Paying Agent, at its principal corporate trust office, accompanied by a written instrument or instruments in form, with instructions, and with guaranty of signature satisfactory to the Paying Agent, duly executed by the registered owner thereof or his attorney-in-fact or legal representative. The Paying Agent shall enter any transfer of ownership of the Bonds in the registration books of the City maintained by the Paying Agent and shall authenticate and deliver in the name of the transferee or transferees new fully registered Bonds of authorized denominations of the same series and maturity for the aggregate amount which the transferee or transferees are entitled to receive at the earliest practicable time.

The City and the Paying Agent may deem and treat the persons in whose names the Bonds shall be registered on the registration books of the City maintained by the Paying Agent as the absolute owners thereof for all purposes, whether such Bonds shall be overdue or not, and payment of the principal of and/or interest on the Bonds shall be made only to or upon the order of the registered owners thereof or their legal representatives, but such registration may be changed, as herein and in the Bonds provided. All such payments shall be valid and effectual to satisfy in full and discharge the liability of the City upon the Bonds so paid, to the extent of the sum or sums so paid, and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

The City shall cause to be kept, and the Paying Agent shall keep, at the principal corporate trust office of the Paying Agent, books for the registration, exchange and transfer of Bonds in the manner provided herein and therein so long as the Bonds shall remain outstanding. Such registrations, exchanges and transfers shall be made without charge to bondholders, except for actual costs, including postage, insurance and any taxes or other governmental charges required to be paid with respect to the same.

If necessary, the City hereby approves the execution of one or more investment agreements, the purchase of certain U.S. Treasury obligations or any other securities or investments (the "Investments") for investment of the proceeds of the Bonds in connection with the Project and the advance refunding of the 1985 Bonds. The City hereby authorizes and directs the Mayor of the City to execute and the City Clerk of the City to attest any

investment agreement on behalf of the City, in the form approved by the Solicitor and Bond Counsel of the City. The Investments shall be limited to those authorized under law for proceeds of the Bonds.

The Mayor of the City and the City Clerk of the City, and, if applicable, their duly qualified respective successors, are hereby authorized and directed, in the name and on behalf of the City: (a) to prepare, execute and certify the debt statement and borrowing base certificate required by the Act; (b) to prepare, execute and file with the Department, as required by Section 8111 of the Act, a duly attested copy of this Ordinance, with proofs of proper publication, the accepted Proposal of the Purchaser and a complete and accurate transcript of the proceedings relating to the incurring of the debt to be evidenced by the Bonds, including the debt statement and borrowing base certificate; (c) to pay or to cause to be paid to the Department all proper filing fees required by the Act in connection with the foregoing; (d) to pay or cause to be paid from proceeds of the Bonds or otherwise, all costs and expenses incurred by the City in connection with the issuance of the Bonds; (e) to advertise the enactment of this Ordinance, as required by the Act; and (f) to take any and all other action, and to execute and deliver any and all documents and other instruments, required or permitted by the Act or by the Proposal of the Purchaser, or which they, in their sole discretion, may deem necessary, proper or desirable to effect the issuance of the Bonds, to the extent not inconsistent with this Ordinance or applicable law.

It is hereby declared that the debt to be evidenced by the Bonds, together with all other indebtedness of the City, is not in excess of any applicable limitation imposed by the Act upon the incurring of debt by the City.

The proper officers of the City are hereby authorized and directed to deliver the Bonds as and when issued to the Purchaser, upon due registration and authentication thereof as provided for herein, upon receipt of full and proper payment of the purchase price therefor, provided, however, that such delivery shall be effected only after the Department has certified its approval pursuant to Section 8204 of the Act.

The City covenants to and with the registered owners of the Bonds that it will make no use of the proceeds of such issue or issues or do or suffer any other action which, if such use or action had been reasonably expected on the date of issue of such Bonds, would cause such Bonds to be "arbitrage bonds" or "private activity bonds" as those terms are defined in Section 148 and Section 141 of the Code and the applicable regulations thereunder. The City further covenants that it will comply with the requirements of such Section 148 and Section 141 and with the regulations thereunder throughout the term of this issue. In addition, the Mayor of the City, being the official(s) responsible for issuing the Bonds, attested by the City Clerk of the City, are hereby authorized and directed to execute and deliver, in the name and on behalf of the City, any and all documents or other instruments which Bond Counsel may reasonably request in connection with the providing of its opinion that the Bonds are not "arbitrage bonds" or "private activity bonds" within the meanings of Section 148 and Section 141 of the Code and the regulations promulgated thereunder, including, without limitation, a certificate dated the date of issuance and delivery of the Bonds, which certificate shall set forth the reasonable expectations of the City as to the amount and use of the proceeds of the Bonds.

The Council hereby authorizes and directs the purchase of a municipal bond insurance policy or policies (the "Municipal Bond Insurance Policy") to be issued by a municipal bond insurer acceptable to the Purchaser and the Mayor of the City insuring the payment when due of the principal of and interest on the Bonds as provided therein. Proper officers of the City are authorized and directed to take all required, necessary and/or appropriate action with respect to such insurance, including the payment of the premium thereof. Proper officers of the City are also authorized and directed to execute any and all documents or agreements with respect to such insurance, as may be required by the insurer.

On the date of delivery of the Bonds, to the extent required for a lawful defeasance of the 1985 Bonds, the proper officers of the City are hereby authorized, empowered and directed to execute, attest and deliver the Escrow Agreement in the form approved by such officers with the advice of the Solicitor to the City. The Escrow Agreement shall provide for, among other things, the following: (i) a certification to the Escrow Agent of the amount required to pay the principal of, premium, if any, and interest on, the 1985 Bonds, (ii) the deposit with the Escrow Agent of an amount which, when taken together with the interest to be earned thereon, will be in the amount necessary to pay the principal of, premium, if any, and interest on the 1985 Bonds to and including the first call date, and to pay the principal amount of the 1985 Bonds maturing after the date fixed for the redemption thereof, (iii) the investment of the amounts deposited with and held by the Escrow Agent, (iv) a direction to the Escrow Agent to cause notice of redemption to be given to the holders of the 1985 Bonds, and (v) the irrevocable pledge and escrow of, and grant of a security interest in favor of the Escrow Agent of all investments held by it pursuant to the Escrow Agreement.

The City hereby authorizes and directs the proper officers, agents and employees to execute any and all other documents and to take any and all action necessary in connection with the Project to cause the 1985 Bonds to "no longer be deemed to be outstanding" as of the date of delivery of the Bonds, within the meaning and for the purposes of Section 8250 of the Act and to cause the redemption of the 1985 Bonds.

With regard to the Bonds, the proper officers of the City are hereby authorized to execute a Continuing Disclosure Certificate (hereinafter defined) on behalf of the City and the City hereby covenants and agrees that it will comply with and carry out all of the provisions of such Continuing Disclosure Certificate as required by applicable law. Notwithstanding any other provision of this Ordinance, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered an event of default; however, any Bondholder or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section.

As used herein, the term "Continuing Disclosure Certificate" shall mean one or more Continuing Disclosure Certificates to be executed by the City in order to comply with Securities and Exchange Commission Rule 15c2-12, and dated the date of issuance and delivery of the Bonds from time to time, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

As used herein, the term “Beneficial Owner” shall mean any person which has or shares the power, directly or indirectly, to make investment decisions concerning ownership of any Bonds (including persons holding Bonds through nominees, depositories, or other intermediaries).

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the City that the remainder of this Ordinance shall remain in full force and effect.

All Ordinances or parts of Ordinances, insofar as the same shall be inconsistent herewith, shall be and the same expressly hereby are repealed.

This Ordinance shall be effective in accordance with Section 8003 of the Act.

DULY ENACTED AND ORDAINED, THIS 28TH DAY OF JANUARY, 2008,
BY THE COUNCIL OF CITY OF READING, BERKS COUNTY, PENNSYLVANIA, IN
LAWFUL SESSION DULY ASSEMBLED.

CITY OF READING
Berks County, Pennsylvania

(SEAL)

By: _____
President of City Council

Attest: _____
City Clerk

MAXIMUM DEBT SERVICE SCHEDULE

BOND FORM

REGISTERED

Number ____

REGISTERED

\$_____

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC") to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

CITY OF READING, BERKS COUNTY,
PENNSYLVANIA

GENERAL OBLIGATION BOND, SERIES A OF 2008

<u>INTEREST</u> <u>RATE</u>	<u>MATURITY DATE</u>	<u>DATED DATE OF</u> <u>SERIES</u>	<u>CUSIP</u>
	_____, ____	_____, 2008	

REGISTERED OWNER CEDE & CO.

PRINCIPAL AMOUNT \$ _____

City of Reading, Berks County, Pennsylvania (the "City"), a third-class city existing under the laws of the Commonwealth of Pennsylvania (the "Commonwealth"), for value received, hereby acknowledges itself to be indebted and promises to pay to the order of the Registered Owner hereof, or registered assigns, on the maturity date stated hereon (or upon prior redemption, as hereinafter provided), upon presentation and surrender hereof, the Principal Amount shown above and to pay semiannually on June 15 and December 15 of each year prior to maturity or redemption (each an "Interest Payment Date"), beginning _____, 2008, to the registered owner hereof, interest on such principal sum, at the rate per annum stated hereon, from the Interest Payment Date next preceding the date of registration and authentication of this City of Reading, Berks County, Pennsylvania, General Obligation Bond, Series A of 2008 (the "Bond"), unless (a) this Bond is registered and authenticated as of an Interest Payment Date, in which event this Bond shall bear interest from such Interest Payment Date, or (b) this Bond is registered and authenticated after a Record Date (hereinafter defined) and before the next succeeding Interest Payment Date, in which event such Bond shall bear interest from such

Interest Payment Date, or (c) this Bond is registered and authenticated on or prior to the Record Date preceding _____, 2008, in which event such Bond shall bear interest from _____, 2008, or (d) as shown by the records of _____, as paying agent, at its offices located in _____, Pennsylvania, or its successor (the "Paying Agent"), interest on such Bond shall be in default, in which event such Bond shall bear interest from the date on which interest was last paid on such Bond. Interest on each Bond is payable by check drawn on the Paying Agent, which shall be mailed to the registered owner whose name and address shall appear, at the close of business on the fifteenth (15th) day next preceding each Interest Payment Date (the "Record Date"), on the registration books maintained by the Paying Agent, irrespective of any transfer or exchange of the Bond subsequent to such Record Date and prior to such Interest Payment Date, unless the City shall be in default in payment of interest due on such Interest Payment Date. In the event of any such default, such defaulted interest shall be payable to the person in whose name the Bond is registered at the close of business on a special record date for the payment of such defaulted interest established by notice mailed by the Paying Agent to the registered owners of Bonds (hereinafter defined) not less than ten (10) days preceding such special record date. Such notice shall be mailed to the persons in whose names the Bonds are registered at the close of business on the fifth (5th) day preceding the date of mailing.

Whenever the due date for payment of interest on or principal of the Bonds or the date fixed for redemption of any Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or executive order to remain closed, then payment of such interest, principal, or redemption price need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or a day upon which banks are authorized by law or executive order to remain closed, with the same force and effect as if made on the due date for payment of principal, interest or redemption price and no interest shall accrue thereon for any period after such due date.

This Bond is one of a series of bonds of the City known generally as "City of Reading, Berks County, Pennsylvania, General Obligation Bonds, Series A of 2008," dated as of _____, 2008 (the "Bonds"), issued by the City in the aggregate principal amount of _____ Dollars (\$_____).

The Bonds are in fully registered form, without coupons, and have been authorized and issued in accordance with the Local Government Unit Debt Act of the Commonwealth (the "Act"), without the assent of the electors, pursuant to an Ordinance (the "Ordinance") of the Council of the City duly enacted on _____, 2008. The terms and provisions of the Ordinance are hereby incorporated by reference as if set forth fully herein.

The City has covenanted in the Ordinance that it shall include in its budget the amount of the debt service for each fiscal year of the City in which principal and/or interest on the Bonds is payable, that it shall appropriate from its general revenues any such sums for the payment of such debt service and that it shall duly and punctually cause to be paid when due principal and interest on the Bonds.

In the Ordinance, the City has covenanted to and with registered owners of the Bonds that it will make no use of the proceeds of the Bonds, or do or suffer any other action, which, if such use or action had been reasonably expected on the date of issuance of the Bonds,

would cause the Bonds to be “arbitrage bonds” or “private activity bonds” as those terms are defined in Section 148 and Section 141 of the Internal Revenue Code of 1986, as amended (the “Code”), and the applicable regulations thereunder.

This Bond shall not be entitled to any benefit under the Ordinance nor shall it be valid, obligatory or enforceable for any purpose until this Bond shall have been authenticated by the Paying Agent.

The Bonds maturing on or after _____, shall be subject to redemption, prior to maturity, at the option of the City, in whole or in part, in any order of maturities, at any time on or after _____, at a price equal to 100% of the principal amount of the Bonds to be redeemed and accrued interest thereon to the date fixed for such optional redemption. In the event that less than all Bonds of a particular maturity are to be redeemed, the Bonds of such maturity to be redeemed shall be drawn by lot by the Paying Agent.

The Bonds stated to mature on _____, are subject to mandatory redemption prior to maturity on _____ of the years (at a price equal to the principal amount of the Bonds called for mandatory redemption plus accrued interest thereon to the date fixed for such mandatory redemption) and in the principal amounts as set forth in the following schedule, as drawn by lot by the Paying Agent:

<u>Year</u>	<u>Principal Amount</u>
-------------	-------------------------

*

* at maturity

In lieu of such mandatory redemption, the Paying Agent, on behalf of the City, may purchase, from money in the Sinking Fund, or the City may tender to the Paying Agent, all or part of the Bonds subject to mandatory redemption in any such year.

If a Bond is of a denomination larger than \$5,000, a portion of such Bond may be redeemed. For the purposes of redemption, such Bond shall be treated as representing that number of Bonds which is obtained by dividing the principal amount thereof by \$5,000, each \$5,000 portion of such Bond being subject to redemption. In the event of a partial redemption of a Bond, payment of the redemption price shall be made only upon surrender of such Bond in exchange for Bonds of the same series and of authorized denominations in an aggregate principal amount equal to the unredeemed portion of the principal amount thereof.

Any redemption of Bonds shall be upon notice effected by mailing a copy of the redemption notice by first-class mail, postage prepaid, such notice to be sent not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption, addressed to the registered owners of Bonds to be redeemed at their addresses shown on the registration books kept by the Paying Agent (hereinafter defined) as of the date the Bonds are selected for

redemption; provided, however, that failure to give such notice by mailing, or any defect therein or in the mailing thereof, shall not affect the validity of any proceeding for redemption of other Bonds called for redemption as to which proper notice has been given.

If at the time of mailing of the notice of redemption the City shall not have deposited with the Paying Agent moneys sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption moneys with the Paying Agent no later than the opening of business on the redemption date, and such notice shall be of no effect unless such moneys are so deposited.

On the date designated for redemption, notice having been provided as aforesaid, and money for payment of the principal and accrued interest being held by such Paying Agent, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and such Bonds or portions thereof shall cease to be entitled to any benefit or security under this Ordinance, and registered owners of such Bonds shall have no rights with respect to such Bonds, except to receive payment of the principal of and accrued interest on such Bonds to the date fixed for redemption.

If the redemption date for any Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or by executive order to remain closed, then the payment of such principal and interest upon such redemption need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or day on which such banking institutions are authorized to remain closed, with the same force and effect as if made on the nominal date of redemption, and no interest shall accrue after such date.

This Bond may be transferred or exchanged by the registered owner hereof only upon surrender of this Bond to the Paying Agent at its principal corporate trust office, accompanied by a written instrument or instruments of transfer in form, with instructions, and with guaranty of signature satisfactory to the Paying Agent, duly executed by the registered owner of this Bond or his attorney-in-fact or legal representative. The Paying Agent shall enter any transfer of ownership of this Bond in the registration books maintained by the Paying Agent and shall authenticate and deliver in the name of the transferee or transferees a new fully registered bond or bonds of the same series and of authorized denominations of the same maturity and form for the aggregate amount which the transferee is entitled to receive at the earliest practicable time. The City and the Paying Agent may deem and treat the registered owner hereof as the absolute owner hereof (whether or not this Bond shall be overdue) for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and the City and the Paying Agent shall not be affected by any notice to the contrary. All payments made to the registered owner of a Bond, as herein provided, shall be valid and effectual to satisfy in full and discharge the liability of the City upon the Bond as paid.

The City and the Paying Agent shall not be required: (i) to issue or to register the transfer of or exchange any Bonds then considered for redemption during a period beginning at the close of business on the fifteenth (15th) day next preceding any date of selection of Bonds to be redeemed and ending at the close of business on the day on which the applicable notice of redemption is given, or (ii) to register the transfer of or exchange any portion of any Bond

selected for redemption, in whole or in part until after the date fixed for redemption. Bonds may be exchanged for a like aggregate principal amount of Bonds of other authorized denominations of the same maturity and interest rate.

The City has caused CUSIP numbers to be printed on the Bonds as a convenience to bondholders. No representation is made as to the accuracy of such numbers as printed on the Bonds.

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon or on the Ordinance, against any member, officer or employee, past, present, or future, of the City or of any successor body, as such, either directly or through the City or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the issuance of this Bond.

It is hereby certified that the approval of the Department of Community and Economic Development of the Commonwealth for the City to issue and deliver this Bond has been duly given pursuant to the Act; that all acts, conditions and things required by the laws of the Commonwealth to exist, to have happened or to have been performed, precedent to or in connection with the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Bond, together with all other indebtedness of the City is within every debt and other limit prescribed by the Constitution and the statutes of the Commonwealth; that the City has established with the Paying Agent, as Sinking Fund Depositary, a sinking fund for the Bonds and shall deposit therein amounts sufficient to pay the principal of and interest on the Bonds as the same shall become due and payable; and that for the prompt and full payment of all obligations of this Bond, the full faith, credit and taxing power of the City are hereby irrevocably pledged.

IN WITNESS WHEREOF, City of Reading, Berks County, Pennsylvania, has caused this Bond to be signed in its name and on its behalf by the signature of the Mayor of the City and its corporate seal to be hereunder affixed, duly attested by the signature of the City Clerk of the City, as of the ____ day of ____, 2008.

CITY OF READING
Berks County, Pennsylvania

By: _____
President of Council

(SEAL)

Attest: _____
City Clerk

STATEMENT OF INSURANCE

TO BE PROVIDED UPON SELECTION OF BOND INSURER

(FORM OF PAYING AGENT'S CERTIFICATE)

CERTIFICATE OF AUTHENTICATION

Date of Authentication: _____

It is certified that this Bond is a Bond issued under the provisions of the within-mentioned Ordinance.

_____, as Paying Agent

By _____
Authorized Officer

(FORM OF ASSIGNMENT)

ASSIGNMENT

FOR VALUE RECEIVED, _____ (the "Transferror"), the undersigned, hereby sells, assigns and transfers unto

--	--	--	--	--

	(the "Transferee")
Name	
Address	
Social Security or Federal Employer Identification No.	

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ as attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____	
Signature Guaranteed: _____ NOTICE: Signature(s) must be guaranteed by an approved eligible guarantor institution, an institution which is a participant in a Securities Transfer Association recognized signature guarantee program.	NOTICE: No transfer will be made in the name of the Transferee, unless the signature(s) to this assignment correspond(s) with the name(s) as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever and the Social Security or Federal Employer Identification Number of the Transferee is supplied. If the Transferee is a trust, the names and Social Security or Federal Employer Identification Numbers of the settlor and beneficiaries of the trust, the Federal Employer Identification Number and date of the trust, and the name of the trustee should be supplied.

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(END OF BOND FORM)

BILL NO. ____2008

WHEREAS, the Naval Marine Reserve Center, on Kenhorst Boulevard, is located entirely within the City Limits of Reading Pennsylvania; and

WHEREAS, the successful reuse of the Naval Marine Reserve Center will require sound community planning to encourage optimal reuse of this closing military facility, including thorough examination of current market conditions, and future market opportunities, and assessments of local community impacts and opportunities; and

WHEREAS, the development of a base redevelopment plan will materially contribute to the orderly economic adjustment of the Reading community to the consequences of facility closure.

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. The City of Reading hereby establishes the City of Reading Local Redevelopment Authority to advise the City of Reading City Council about the best reuse of the military facility located on Kenhorst Boulevard within the municipal boundaries of the City.

Section 2. The City of Reading Local Redevelopment Authority shall be composed of seven (7) voting members. The voting members shall be as follows: President of Council Vaughn D. Spencer, or his designee; City Councilor District 1 Stephen P. Fuhs, or his designee; City Councilor District 4 Stratton Marmarou, or his designee; Phillip Coles, District 1 resident and representative of the Reading Redevelopment Authority, Ermete Raphaelli, resident of District 1 and representative of the Planning Commission and two members appointed by the Mayor and approved by Council resolution. William Dennis, County Administrator, will serve on the LRA in an Ex-Officio capacity.

Section 3. The City of Reading Local Redevelopment Authority shall serve as an advisory planning body. Its redevelopment plan will be considered for adoption as official land use or development policy by the City Council of Reading, Pennsylvania.

Section 4. The City of Reading Local Redevelopment Authority will adopt the redevelopment plan and send it to the City of Reading City Council for approval, after which it shall submit the redevelopment plan to the Department of the Army, and to the Department of Housing and Urban Development for review, pursuant to federal

BRAC law and regulations. The City of Reading Local Redevelopment Authority shall take all steps needed to complete this assignment within the period of time prescribed by statute and regulations.

Section 5: Effectiveness of Ordinance. This Ordinance will become effective in ten (10) days, in accordance with Charter Section 219.

Approved this _____ of May, 2008

Vaughn D. Spencer
President of Council

ATTEST:

Linda A. Kelleher
City Clerk

BILL NO. _____-2008

A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE A DEED FROM THE CITY OF READING TO THE READING REDEVELOPMENT AUTHORITY THEREBY CONVEYING PREMISES SITUATE AT 400 S. 6TH ST., READING, BERKS COUNTY, PENNSYLVANIA.

WHEREAS, the City of Reading is the legal owner of property situate at 400 S. 6th Street, Reading, Berks County, Pennsylvania; and

WHEREAS, conveyance of said premises will facilitate reduction of City owned real property; and

WHEREAS, the City of Reading intends to convey said premises.

NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

1. **SECTION 1.** The Mayor is authorized to execute a deed, and any other required documents, to convey the premises situate at 400 S. 6th Street, Reading, Berks County, Pennsylvania, from the City of Reading to the Reading Redevelopment Authority.
2. **SECTION 2.** This Ordinance shall be effective ten (10) days after passage.

Enacted _____, 2008

President of Council

Attest:

City Clerk

BILL NO. _____-2008

A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE A DEED FROM THE CITY OF READING TO THE READING REDEVELOPMENT AUTHORITY THEREBY CONVEYING PREMISES SITUATE AT 401-403 S. 6TH ST., READING, BERKS COUNTY, PENNSYLVANIA.

WHEREAS, the City of Reading is the legal owner of property situate at 401-403 S. 6th Street, Reading, Berks County, Pennsylvania; and

WHEREAS, conveyance of said premises will facilitate reduction of City owned real property; and

WHEREAS, the City of Reading intends to convey said premises.

NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

2. **SECTION 1.** The Mayor is authorized to execute a deed, and any other required documents, to convey the premises situate at 401-403 S. 6th Street, Reading, Berks County, Pennsylvania, from the City of Reading to the Reading Redevelopment Authority.
2. **SECTION 2.** This Ordinance shall be effective ten (10) days after passage.

Enacted _____, 2008

President of Council

Attest:

City Clerk

(LAW DEPT.)

BILL NO. _____-2008

A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE A DEED FROM THE CITY OF READING TO THE READING REDEVELOPMENT AUTHORITY THEREBY CONVEYING PREMISES SITUATE AT 422 S. 6TH ST., READING, BERKS COUNTY, PENNSYLVANIA.

WHEREAS, the City of Reading is the legal owner of property situate at 422 S. 6th Street, Reading, Berks County, Pennsylvania; and

WHEREAS, conveyance of said premises will facilitate reduction of City owned real property; and

WHEREAS, the City of Reading intends to convey said premises.

NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

3. **SECTION 1.** The Mayor is authorized to execute a deed, and any other required documents, to convey the premises situate at 422 S. 6th Street, Reading, Berks County, Pennsylvania, from the City of Reading to the Reading Redevelopment Authority.
2. **SECTION 2.** This Ordinance shall be effective ten (10) days after passage.

Enacted _____, 2008

President of Council

Attest:

City Clerk

BILL NO. _____-2008

AN ORDINANCE

AMENDING CHAPTER 11 HOUSING - RENTAL OF
THE CITY OF READING CODIFIED ORDINANCES

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Chapter 11 entitled Housing - Rental is amended as follows:

Section 104 Application for Permit Subsection 14 (§11-104(14)) of the Codified Ordinances is hereby deleted. The remaining subsections of Section 104 are renumbered accordingly, 11-104(15) is now 11-104(14), 11-104(16) is now 11-104(15) and 11-104(17) is now 11-104(16).

Comment [m1]: Section required payment of all municipal fees to obtain permit In light of recent caselaw which prohibits such requirement recommended it be removed

Section 124 Disruptive Conduct Subsection C Eviction (§11-124(C)) is amended to read in its entirety as follows:

After ~~three (3)~~ two (2) disruptive conduct incidents in any 12-month period _____ by the occupant documented by disruptive conduct reports, the _____ owner or local responsible agent shall have ten (10) working days _____ from the date of his/her receiving the notice to begin eviction _____ proceedings against the occupants. *The owner or local responsible agent shall diligently pursue the eviction of the occupants as* ~~§ _____ required herein. Diligent Pursuit of the eviction of said occupants shall include but not be limited to prosecution of the eviction proceedings and participation with follow through of any appeal.~~ This paragraph is not intended to limit or inhibit the owner or local responsible agent's right to initiate eviction actions prior to the second disruptive conduct incident. ▲

Comment [c2]:

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Section 124 Disruptive Conduct Subsection G Report Against All Occupants (§11-124(G)) shall be amended to read in its entirety as follows:

The content of the disruptive conduct report shall count against all occupants of the rental unit. The content of the disruptive conduct report shall not count against all occupants of the rental unit if the complaint is initiated by one of the rental unit occupants. *More than one disruptive conduct report filed against the occupants of a*

rental unit in a 24-hour period shall count as a single disruptive conduct report for the purpose of the preceding paragraph.

Section 124 Disruptive Conduct Subsection H Maintenance of List of Evicted Occupants (§11-124(H)) shall be renamed and amended to read in its entirety as follows:

H. MAINTENANCE OF LIST OF DISRUPTIVE CONDUCT REPORT TENANTS AND OCCUPANTS AND EVICTED OCCUPANTS

The Codes Enforcement Office shall maintain a list of the names of all occupants and tenants against whom a Disruptive Conduct Report is issued as a result of this Ordinance. The Codes Enforcement Division shall also maintain a list of all occupants and tenants evicted as a result of this Ordinance. The names shall remain on the list for a period of five (5) years.

Section 125 Housing Board of Appeals Subsection (A) Appeals (§11-125(A)) shall be amended to read in its entirety as follows:

Any person aggrieved by any decision of a police officer or public officer in regard to a disruptive conduct report or the suspension, non-renewal, denial or revocation of a Rental Permit, may appeal to the Housing Board of Appeals. Such appeal must be filed, in writing *with the Manager of the Codes Enforcement Division*, with the appropriate filing fee within ten (10) working days from the date of receipt of the disruptive conduct report or notice of revocation.

Section 125 Housing Board Subsection (C) Powers (§11-125(C)) is hereby amended to add a new paragraph 6 to read as follows and renumber the existing paragraph 6 to paragraph 7:

6. OATHS AND SUBPOENAS.

The Board shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

Section 125 Housing Board of Appeals Subsection (G) Fee (§11-125(G)) shall be renamed and amended to read in its entirety as follows:

G. FEE AND COSTS

The fee for filing of an Appeal to the Housing Board of Appeals shall be \$75. Failure to submit the appropriate fee with the request for an appeal shall result in automatic denial of the appeal. *In addition to said fee, the Appellant shall be responsible for all costs incurred to conduct a hearing beyond that covered by the fee.*

Comment [m3]: Was \$50.

SECTION 2: All relevant ordinances, regulations, remaining sections of Chapter 11 Housing – Rental Ordinance and policies of the City of Reading, Pennsylvania not amended hereby shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4: This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted _____, 2008

Council President

Attest:

City Clerk

(LAW)

BILL NO. _____-2008
AN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF READING ZONING ORDINANCE
AND MAP BY CHANGING THE R-3 ZONING DESIGNATION TO AN R-2
ZONING DESIGNATION IN COUNCIL DISTRICT 1 TO INCLUDE PARCELS
WITH THE PERSONAL IDENTIFICATION

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Zoning Ordinance and Map of the City of Reading is amended to by changing the R-3 zoning designation to an R-2 zoning designation in Council District 1 to include parcels with the parcel identification numbers (PIN) 530654145536 and 530653140352.

SECTION 2. All other provisions of the City of Reading Zoning Ordinance of the City of Reading shall remain unchanged and in full force and effect.

SECTION 3. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted _____, 2008

President of Council

Attest:

City Clerk

(Councilor Fuhs & Council Staff)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

BILL NO. _____-2008
AN ORDINANCE

**AN ORDINANCE AMENDING THE CITY OF READING ZONING
ORDINANCE AND MAP BY CHANGING THE RESIDENTIAL
OUTLET ZONING DISTRICT TO A COMMERCIAL
NEIGHBORHOOD ZONING DISTRICT IN CITY COUNCIL
DISTRICT 6.**

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Zoning Ordinance and Map of the City of Reading are amended by changing the Residential Outlet Zoning District to a Commercial Neighborhood Zoning District in Council District 6.

SECTION 2. All other provisions of the City of Reading Zoning Ordinance of the City of Reading shall remain unchanged and in full force and effect.

SECTION 3. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted _____, 2008

President of Council

Attest:

City Clerk

(Councilor Waltman & Council Staff)

BILL NO. _____ 2008

AN ORDINANCE

**AMENDING THE TOPOGRAPHICAL MAP OF THE CITY OF READING BY
VACATING LAFAYETTE STREET, BETWEEN PEAR AND NORTH 2nd STREETS
AND VACATING PEAR STREET, BETWEEN BEECH AND LAFAYETTE STREETS**

WHEREAS, 53 P.S. §37916 requires an adoption of an Ordinance of Council to vacate a street;

WHEREAS, City of Reading Codified Ordinance Section 15-102 requires all permanent traffic regulations occur by Ordinance;

WHEREAS, Opportunity House has submitted two petitions seeking the vacation of Lafayette Street, between Pear and North 2nd Streets and the vacation of Pear Street, between Beech and Lafayette Streets; and

WHEREAS, the City of Reading Planning Commission, through the adoption of Resolution No. ____-2008 and the Department of Public Works of have recommended that the aforementioned street vacation request be approved by the City of Reading City Council.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY
ORDAINS AS FOLLOWS:**

SECTION 1. The topographical map of the City of Reading shall be amended vacating Lafayette Street, between Pear and North 2nd Streets and vacating Pear Street, between Beech and Lafayette Streets.

SECTION 2. The Director of the Department of Public Works and/or the City Engineer is hereby authorized and directed to enter and record the above-described change in the Topographical Survey Book of Streets in the Department of Public Works, recorded in the City Engineers Office as Plan No. 5908. S/he is further directed to take all necessary steps to ensure proper signage of the aforesaid alterations to Lafayette Street, between Pear and North 2nd Streets and to Pear Street, between Beech and Lafayette.

SECTION 3. The City Solicitor is authorized and directed to take such further steps in court or elsewhere as may be necessary to carry out the provisions of this Ordinance.

SECTION 4. All Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed, insofar as they are inconsistent with this Ordinance.

SECTION 5. This Ordinance will become effective in ten (10) days, in accordance with Charter Section 219.

Enacted _____, 2008

President of Council

Attest:

City Clerk

(Council Staff)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

B I L L N O. _____ 2008
A N O R D I N A N C E

**AN ORDINANCE AMENDING THE CITY OF READING CODE OF ORDINANCES
CHAPTER 1 – ADMINISTRATION AND GOVERNMENT – PART 5 BOARDS,
DEPARTMENTS, COMMISSIONS, COMMITTEES AND COUNCILS – SECTION A
- PARK AND RECREATION ADVISORY COMMITTEE.**

THEREFORE THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the City of Reading Code of Ordinances Chapter 1
Administration and Government – Part 5 Boards, Departments, Commissions,
Committees and Councils – Section A – Park and Recreation Advisory Committee, as
stated in Exhibit A attached.

SECTION 2. This ordinance shall be effective ten (10) days after its adoption and
approval by the Mayor, or re-passage by City Council over the Mayor’s veto, in
accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in
Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2008

President of Council

Attest:

City Clerk
(Public Works Committee & Council Staff)

Submitted to Mayor: _____

Date: _____

Received by the Mayor’s Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

EXHIBIT A

CHAPTER 1 ADMINISTRATION AND GOVERNMENT

PART 5

BOARDS, COMMISSIONS, COMMITTEES AND COUNCILS

A. Park and Recreation Citizen's Advisory Committee.

§1-501. Findings and Purpose.

1. **Findings.** The City of Reading has determined that the benefits of municipal recreation and park services offer significant value to the community such as individual opportunities for physical fitness, happiness, creativity, competition, social relationships and character development. Park and recreation also brings a community together and cultivates the City's youth to be responsible and productive citizens.

2. **Purpose.** It is to be declared to be the purpose of this Part 5A to establish a Park and Recreation Advisory Committee to provide citizen input to appointed and elected officials on issues regarding park policies, recreation activities and overall park and recreation planning. (*Ord. 11-2000, 7/24/2000, §1*)

§1-502. Duties and Responsibilities.

The committee shall provide advisory recommendations to the City on matters regarding the City's parks and recreation. The duties and responsibilities are detailed as follows:

- a. Recommend policies for the use of City owned parks, open space and playgrounds.
- b. Provide guidance to the Administration on developing agreements with associations, leagues, athletic groups or other community organizations that use City parks, playgrounds and open space on a regular basis.
- c. Prepare and maintain a 10-year park, recreation and open space plan that includes the following.
 - Maintains a detailed inventory of the City's parks, playgrounds and available open space.
 - Review park and playground improvement and rehabilitation plans and provide input to Public Works
 - Identifies service areas for each of the City's parks and playgrounds based on accessibility to neighborhoods.
 - Establishes priorities for park development and identifies 10 year capital needs.

- Evaluate and determine existing and future recreation program needs.
- Identify revenue sources such as grants and user fees to fund recreation activities and implement the park and open space plan.
- d. Provide guidance and feedback to the Superintendent of Recreation on recreation programs and the use of recreation facilities.
- e. Facilitates neighborhood meetings to obtain feedback from the community on park and recreation needs.
- f. **Make recommendations to the Public Works Director and to City Council on the naming/renaming of facilities or streets and the dedication of recreational accessories, in accordance with the Policy on the Naming of Public Facilities.**
- g. **Make annual report to City Council.**

§1-503. Committee Membership.

1. The committee shall consist of a minimum of ~~seven~~ **nine** members and two students all of whom shall be residents of the City of Reading. Membership shall be composed of the following.

- **One representative from the Reading School District,**
- **One representative from Olivets-PAL**
- **One representative from the YMCA,**
- **One representative from the United Way**
- Two representatives from active volunteer park and recreation related associations.
- **Three** ~~Four~~ **at large members, with consideration given to geographic representation.**

- a. All members of the committee shall be appointed by the Mayor with the approval of Council

2. The term of each member shall be for a period of 3 years. Members will be appointed to serve staggered terms.

3. Chairperson shall be elected annually by committee.

4. The terms of office shall be staggered in such a manner that at least two terms expire annually.

(Ord. 11-2000, 7/24/2000, §1; as amended by Ord. 34-2001, 9/24/2001, §1)

§1-504. Meetings.

The committee shall hold regular meetings that occur at least once per month. The committee chair shall prepare an agenda 7 days in advance which shall be distributed to the Mayor, Managing Director, Director of Public Works and City Clerk. (*Ord. 11-2000, 7/24/2000, §1*)

§1-505. Responsibilities of the Superintendent of Recreation.

The Superintendent of Recreation shall be the staff contact with the committee and shall serve as a liaison between the committee, the administration and Council. The Superintendent of Recreation shall perform the following duties:

- A. Advise the committee of the City's strategic goals, needs and budget relating to recreation.
- B. Work with the committee chairperson to develop the monthly meeting agenda.
- C. Prepare and distribute meeting minutes.
- D. Obtain all information and documentation requested of the committee.
- E. Prepare an annual report on behalf of the committee, detailing the committee's strategic goals, activities and accomplishments. (*Ord. 11-2000, 7/24/2000, §1*) Bill 9-2002

§1-505. Removal.

Members shall be removed automatically if they fail to attend three (3) consecutive meetings without reasonable excuse.

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS
FOLLOWS:

That Ruth Epler is reappointed to the Park and Recreation Advisory
Council, with a term ending December 31, 2012.

Adopted by Council _____, 2008

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS
FOLLOWS:

That Jeff Darlington is reappointed to the Board of Ethics, with a term
ending May 27, 2009.

Adopted by Council _____, 2008

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS
FOLLOWS:

That Adam Wagonseller is appointed to the Legislative Aide
Committee, with a term ending May 27, 2012.

Adopted by Council _____, 2008

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk